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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., WEDNESDAY, JUNE 10, 1953. No. 49.

SENATE

WEDNESDAY, June 10, 1953.

The Senate met at 12:30 o'clock p. m., Eastern Standard Time.

By appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (John M. Walker) in the Chair.

PRAYER

The Chaplain, Rev. J. B. Williams, Pastor of the Second Baptist Church, Harrisburg, offered the following prayer:

Let us pray.

Almighty and most merciful God, we gratefully acknowledge Thee as the Ruler of our lives. Thou art infinite and we are creatures of the earth, yet Thou hast exalted us to be Thy children. Thou hast endowed us with reason and will; Thou hast placed us in this beautiful world and lavished its bounties upon us. Grant, O God, that our gratitude shall be sincere.

Increase among us all worthy plans and efforts to rebuild the structure of our world society on sure foundations and to transform it into Thy Kingdom. Give us the vision and courage to establish and maintain universal brotherhood and peace, with all nations joined in love and lawfulness, to foster the life more abundant for all.

Restore to us a belief in spiritual values and the dignity and worth of all Thy children. Inspire us with a willingness to provide them with opportunities for work and growth and a fair enjoyment of profits and benefits. Then and only then will Thy Kingdom come and Thy will be done on earth, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 10, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 15, 1953, at two o'clock p. m., E. S. T., and when the House of Representatives adjourned this week, it reconvene on Wednesday, June 17, 1953, at one o'clock p. m., E. S. T.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

Mr. BERGER asked and obtained leave of absence for Mr. LETZLER, because of pressing business.

He also asked and obtained leave of absence for Mr. WATKINS because of pressing business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Comonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elizabeth C. Armstrong, 3021 North 4th Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the Fourteenth Ward of the City of Harrisburg, Dauphin County, until the first Monday of January 1954, vice Joseph K. Armstrong, deceased.

JOHN S. FINE.

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Augustus S. Hines, 1201 Belfield Avenue, Drexel Hill, Delaware County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 27, entitled:

An Act to amend Section 2 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties uponthe Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

Which was committed to the Committee on Highways.

House Bill No. 151, entitled:

An Act providing for the establishment of police pension funds or pension annuities in boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts.

Which was committed to the Committee on Local Government.

House Bill No. 162, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the withdrawing of deceased candidate's name by the county board of elections in certain cases.

Which was committed to the Committee on Elections.

House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominating of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by increasing the minimum compensation payable to judges of election in third to eighth class counties.

Which was committed to the Committee on Elections.

House Bill No. 301, entitled:

An Act to further amend the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating registration of persons in military service.

Which was committed to the Committee on Elections.

House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

Which was committed to the Committee on Highways.

House Bill No. 506, entitled:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting shotfirers to carry approved electric lamps and further prescribing his duties.

Which was committed to the Committee on Mines and Mining.

House Bill No. 672, entitled:

An Act to further amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending,

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revising; consolidating and changing the laws relating thereto," by providing for State payments to approved sublessees.

Which was committed to the Committee on Education.

House Bill No. 772, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district, and the basis for Commonwealth reimbursements on account of courses for such children.

Which was committed to the Committee on Education.

House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches, more or less, of land in Ephrata Township, Lancaster County, Pennsylvania with the approval of the Governor.

Which was committed to the Committee on State Govment.

House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville, Jefferson County, Pennsylvania, with the approval of the Governor.

Which was committed to the Committee on State Govment.

House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement, procedure and penalties and providing for an additional form of appeal.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1667), entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire all real and personal property included in the Conrad Weiser Memorial Park, in Heidelberg Township, Berks County, from the Conrad Weiser Memorial Park Association; providing for the control, management, supervision, restoration and improvement thereof by the Department of Forests and Waters; authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation therefor," by tranferring the control, management, supervision, restoration and improvement of said park, and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

Which was committed to the Committee on State Government.

House Bill No. 1086, entitled:

An Act to add section 1-A to the act, approved the fifteenth day of April, one thousand eight hundred seventy-three (P. L. 75) , as amended, entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

Which was committed to the Committee on State Government.

House Bill No. 1137, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by requiring one year of approved hospital internship as an additional requirement for licensure; exempting interns from the provisions of the act; and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residency training in osteopathic hospitals in Pennsylvania.

Which was committed to the Committee on Education.

House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of the county board of school directors in certain districts.

Which was committed to the Committee on Education.

House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres, more or less, of land, situate in the City of Erie, Erie County, Pennsylvania.

Which was committed to the Committee on Education.

House Bill No. 1224, entitled:

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination,

payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1225, entitled:

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1257, entitled:

An Act providing for compliance with Federal Laws and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties.

Which was committed to the Committee on Rules.

House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including in such definition certain vehicles used for snow removal.

Which was committed to the Committee on Highways.

House Bill No. 1302, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day.

Which was committed to the Committee on State Government.

House Bill No. 1319, entitled:

An Act to further amend Section 106 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests, creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that notices may be published in one newspaper in certain cases.

Which was committed to the Committee on Elections.

House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1354, entitled:

An Act to reenact and further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous recepts; making an appropriation and providing for refunds," by exempt-

ing certain vehicles owned by and used exclusively by certain defense organizations from the payment of registration fees.

Which was committed to the Committee on Highways.

House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres, more or less, of land situate in Collier Township, Allegheny County, Pennsylvania, with the approval of the Governor.

Which was committed to the Committee on State Government.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 171

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, June 9, 1953.

Resolved (If the House of Representatives concur) That Senate Bill No. 171, entitled:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 42

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent, humane, and patriotic purposes," by exempting therefrom national service clubs raising funds for child welfare projects.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 779

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 779, entitled:

An Act to further amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1182), entitled "Chiropractic Registration Act of 1951," by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure; providing for licensure of non-resident practitioners; providing for licensing of graduates of unincorporated schools of chiropractice; removing requirement to mail registration renewal applications.

AMENDMENT TO HOUSE BILL No. 347 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 347, entitled:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring City Treasurers to also provide insurance against loss of taxes in the hands of treasurers as a result of fire burglary larceny theft robbery or forgery.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

AMENDMENT TO HOUSE BILL No. 1007 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth to any court of the United States and eliminating ineffective provisions.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

BILLS INTRODUCED AND REFERRED

Mr. KOPRIVER, JR., read in his place and presented to the Chair Senate Bill No. 679, entitled:

An Act to amend Section 1612 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for State scholarships for graduates of State secondary schools.

Which was committed to the Committee on Education.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 680, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania for graded and graduated income taxes and for exemptions therefrom.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 681, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring em-

ployers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by increasing benefits.

Which was committed to the Committee on Labor and Industry.

Messrs. PROPERT, WADE, SNOWDEN and BARR read in place and presented to the Chair Senate Bill No. 682, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," by further prescribing the powers of the board, prescribing certain educational requirements, further providing for the issuance of reciprocal certificates and further defining certain unlawful acts.

Which was committed to the Committee on Education.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 683, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 16.96 acres, more or less, of land situate partly in the Township of Bristol, Bucks County and partly in the Borough of Tullytown, Pennsylvania with the approval of the Governor.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. BERGER, from the Committee on Rules reported as committed House Bill No. 1257, entitled:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF BOARD OF TRUSTEES NORRISTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Norristown State Hospital, for the term of four years, and until their successors are qualified:

Dr. George W. Miller, 618 DeKalb Street, Norristown, Montgomery County (Reappointment).

Miss Nancy P. Highley, 611 Swede Street, Norristown, Montgomery County (Reappointment).

William Y. Hunsberger, 59 Penn Street, Souderton, Montgomery County (Reappointment).

Philip L. Corson, Spring Mill Road, Plymouth Meeting, Montgomery County (Reappointment).

T. Allen Glenn, Jr., 1511 Boyer Boulevard, Norristown, Montgomery County (Reappointment).

Simon K. Moyer, Silverdale, Bucks County, vice E. W. Bonnaffon, Ardmore, whose term expired.

JOHN S. FINE.

MEMBER OF STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Olivia L. Barres, Directors of Nurses, Reading Hospital School of Nursing, Reading, Berks County, for appointment as a member of the State Board of Nurse Examiners, for the term of six years, and until her successor is appointed and qualified, vice Miss Lillian E. Willetts, Pittsburgh, resigned.

JOHN S. FINE.

RESOLUTION REFERRED TO COMMITTEE

DIRECTING JOINT STATE GOVERNMENT COMMISSION AND DEPARTMENT OF HIGHWAYS TO MAKE CERTAIN STUDIES IN LAWRENCE COUNTY

Mr. MILLER offered the following resolution which was twice read and referred to the Committee on Highways:

In the Senate, June 10, 1953.

Whereas, Lawrence County is one of the brightest spots on the western boundary of Pennsylvania; and

Whereas, The city of New Castle with a population of 48,834 people and the Borough of Elwood City are among the advancing population areas which are bringing fame not only to Lawrence County but bid well to be among the leading communities of this Commonwealth in the not too distant future; and

Whereas, There is much travel between many places in Lawrence County and its neighboring City of Youngstown, Ohio, of great renown due to its manifold industries and between various places in Lawrence County and the City of Sharon, a steel center in Mercer County, Pennsylvania; and

Whereas, The various highways of Lawrence County must provide transportation between various integrated industries in Lawrence County and highly industrialized surrounding areas; therefore be it

Resolved, That the Joint State Government Commission is hereby instructed to make a study of the need for additional bridges over the Shenango and Mahoning Rivers and other waterways in Lawrence County; and be it further

Resolved, That the Department of Highways is hereby instructed to make detailed traffic flow studies of the various main highways and other streets and roads in Lawrence County with a view to making necessary improvements and the establishing of new State routes for facilitating necessary vehicular traffic, and that the Highway Department give the results of its studies to the Joint State Government Commission; and be it further

Resolved, That the said Joint State Government Com-

mission report its study and recommendations based upon its study and studies of the Department of Highways to the next regular session of the General Assembly.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WADE,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF BOARD OF TRUSTEES, NORRISTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Norristown State Hospital, for the term of four years, and until their successors are qualified:

Dr. George W. Miller, 618 DeKalb Street, Norristown, Montgomery County (Reappointment).

Miss Nancy P. Highley, 611 Swede Street, Norristown, Montgomery County (Reappointment).

William Y. Hunsberger, 59 Penn Street, Souderton, Montgomery County (Reappointment).

Philip L. Corson, Spring Mill Road, Plymouth Meeting, Montgomery County (Reappointment).

T. Allen Glenn, Jr., 1511 Boyer Boulevard, Norristown, Montgomery County (Reappointment).

Simon K. Moyer, Silverdale, Bucks County, vice E. W. Bonnaffon, Ardmore, whose term expired.

JOHN S. FINE.

MEMBER OF STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Olivia L. Barres, Director of Nurses, Reading Hospital School of Nursing, Reading, Berks County, for appointment as a member of the State Board of Nurse Examiners, for the term of six years, and until her successor is appointed and qualified, vice Miss Lillian E. Willetts, Pittsburgh, resigned.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOOD,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McGinnis,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Lane,	McPherson, Jr.	Wade,
Camiel,	Kephart,	Miller,	Wagner,
Chapman,	Kessler,	Pechan,	Watson,
Crowe,	Kopriver, Jr.	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Snowden,	Walker,
Freed	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION

ADJOURNMENT SINE DIE

Mr. BERGER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 10, 1953.

Resolved, (if the House of Representatives concur), That this Regular Session of the General Assembly adjourn sine die, Thursday, July 2, 1953, at 5:00 o'clock P. M. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. BERGER. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a meeting of the Judiciary General Committee.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 10, 1953.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Shirley Hillson, Springdale.
John M. Mickune, Pittsburgh, 26 Millbridge Street.

BERKS COUNTY

Mrs. Shirley Erney, Reading.

BLAIR COUNTY

Miss Ruth M. Doyle, Altoona.

ERIE COUNTY

Mrs. Eunice M. Boone, Erie.

HUNTINGDON COUNTY

Mrs. Rogna M. Leabhart, Huntingdon.

LACKAWANNA COUNTY

Thomas J. Jones, Scranton.
Russell Shorten, Scranton.

LAWRENCE COUNTY

Paul E. Tate, New Castle.

MERCER COUNTY

Miss Frances Moore, Grove City.

MONROE COUNTY

Donald V. Dimmick, East Stroudsburg.

MONTGOMERY COUNTY

Miss Doris M. Kulp, Norristown.
Mrs. Martha B. Potter, Whitemarsh Twp., Conshohocken.

PHILADELPHIA COUNTY

Peter B. Beck, 2080 E. Cumberland St.
William J. Buckley, 1616 Walnut St. (3).
Francis E. Cuneo, 1917 South Third St.
Samuel Janson, 1339 W. Columbia Ave.
James M. King, 6117 Charles St. (24).
David Levy, 421 W. Susquehanna Ave.
Miss Margaret M. Murphy, 2121 Locust Street.
Robert L. Suter, 1740 Suburban Station Building.

POTTER COUNTY

Harold W. Vosburg, Coudersport.

WASHINGTON COUNTY

Stanley Brovey, Ellsworth.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. DIEHM,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Snowden,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska.			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, June 10, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 15, 1953, at two o'clock P. M., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Wednesday, June 17, 1953 at one o'clock P. M., E. S. T.

SENATE CONCURRENT RESOLUTION No. 135 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Concurrent Resolution No. 135 for consideration at this time.

The Clerk read the resolution as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY OF THE AGING AND AGED

In the Senate, May 20, 1953.

Whereas, Under the date of May 21, 1951, Resolution, Serial Number 122, Legislative Journal, page 1764, was adopted by the Senate; and

Whereas, The said Resolution provided as follows:

"Whereas, The personal, family, social, medical, financial and related problems arising from the continued increase in the number and proportion of Pennsylvanians of advanced age are of growing magnitude; and

Whereas, These problems are of such striking significance and so intricate as to warrant special and intensive attention by the Commonwealth; and

Whereas, All aspects of this rise in the aging population presents the Commonwealth with increasingly serous social and human problems; now therefore be it

Resolved, (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the State-wide needs and problems of the aging and the aged and to develop in cooperation with other governmental and voluntary groups ways and means to assist the Commonwealth in meeting these needs and problems and in such study the commission may appoint and consult with a Citizens Advisory Committee of competent lay and professional citizens who have demonstrated interests in and knowledge of the aging and the aged. Such study shall concentrate on the following:

1. Employment opportunties for older persons.

2. Facilities and services for the aged including counseling and personal services, employment guidance and placement services, medical care service, institutional services,

treatment and rehabilitation for the chronically ill, care of and rehabilitation for the disabled and the handicapped, recreation, education and related community services.

3. Analysis of the problems of the aged receiving old-age assistance with special reference to the adequacy of grants and standards of living, boarding homes and other sheltered care for the indigent aged.

4. Special attention to the problems of care and treatment of the senile aged.

5. Study of other special needs as develop in the course of the study; and be it further

Resolved, That the Joint State Government Commission shall report to the General Assembly on or before February first, one thousand nine hundred fifty-three, the results of its studies and investigations and recommendations."

Whereas, The study not being completed and the problem still being present, it is therefore

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to continue its study as provided in the 1951 Resolution as above set forth and to report to the General Assembly on or before February first, one thousand nine hundred fifty-five, the results of its studies and investigations and recommendations.

SENATE CONCURRENT RESOLUTION No. 135 ADOPTED

Mr. MAHANY. Mr. President, I move that the resolution just read by the Clerk be adopted.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. PROPERT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committee on Judiciary General, reported as committed Senate Bill No. 495, entitled:

An Act to amend the act approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers or duties of the judges thereof, and appeals therefrom," by conferring on orphans' courts exclusive jurisdiction of all manner of proceedings affecting birth records.

He also, from the Committee on Judiciary General, reported as amended Senate Bill No. 505, entitled:

An Act to further amend section one of the act, approved the twenty-third day of June, one thousand eight hundred eighty-five (P. L. 146), as amended, entitled "An act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry," providing that such licenses may be procured in any county; validating all marriages heretofore contracted thereunder; by the changing of consent thereto.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 561, entitled:

An Act to amend Section 306 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors, estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by providing for an additional disqualification of persons petitioning for appointment as personal representative.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 583, entitled:

An Act to add Section 1.1 to the act, approved the twenty-six day of September, one thousand nine hundred fifty-one (P. L. 1458), entitled "An act relating to records of governmental departments or agencies or private businesses, institutions, professions or callings; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records," by authorizing prothonotaries to make or accept photostatic or microfilm copies of legal documents.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts, and fixing the rights and duties of minors, the minors' parents or guardians, and the depository bank with respect thereto.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and the parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 669, entitled:

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or ay organized subdivision thereof."

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 670, entitled:

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 671, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 672, entitled:

An Act to repeal section six of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by eliminating transfers to the Central State Penitentiary at Rockview.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven, nine hundred twelve, nine hundred thirteen, nine hundred fourteen and nine hundred fifteen to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing, for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain powers of the Department of Welfare to the Department of Justice; and imposing certain duties upon the Department of Justice.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for for the administration of the State penal and correctional institutions, and repealing certain acts or parts of acts.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees; abolishing certain penal institutions; imposing duties upon the Commissioner of Correction of the Department of Justice; and providing for the costs of transportation and maintenance of inmates.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice, correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiarties, and persons therein or responsible therefor applicable in the case of the said institutions.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act, approved the twenty-fourth day of March, one thousand

nine hundred twenty-one (P. L. 48), entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary, and from the Western Penitentiary to the Eastern Penitentiary, and their imprisonment in the penitentiary to which transferred; imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted; directing that certain notice of such transfer of a convict be given; and making appropriations," by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. PROPERT, from the Committee on Judiciary General, to which was referred resolution offered by Messrs. Kephart and Walker, on June 8, 1953, reported the same without amendment as follows:

REQUESTING THAT JOINT STATE GOVERNMENT COMMISSION RE-ESTABLISH THE ADVISORY COMMITTEE TO THE LEGISLATIVE SUBCOMMITTEE ON DECEDENTS' ESTATES LAWS

In the Senate, June 8, 1953.

Whereas, Under Senate Resolution, Serial No. 46, adopted March 13, 1945, and under Senate Resolution, Serial No. 34, adopted March 10, 1947, the Joint State Government Commission was directed to study, revise and prepare for reenactment the Orphans' Court Partition Act, the Orphans' Court Act, the Revised Price Act, the Wills Act, the Register of Wills Act, the Intestate Act and the Fiduciaries Act, together with their supplements and amendments; and

Whereas, In accordance with said resolutions, the Joint State Government Commission appointed a legislative subcommittee of twelve members. This legislative committee in turn appointed an Advisory Committee composed of outstanding members of the Bar, both judges and attorneys, who were recognized experts in the field of Decedent Estates Laws; and

Whereas, The Joint State Government Commission, the legislative subcommittee and the Advisory Committee, completed their studies and prepared all of the drafts of various revisions deemed necessary, including the "Incompetents' Estates Act of 1951," all of which were enacted into law during either the 1947, 1949 or 1951 legislative session; and

Whereas, The results of the work of these committees was received by the legislature, the bench and the Bar with the highest commendation; and

Whereas, There is a growing recognition of a need to continue the Advisory Committee's existence and work; therefore be it

Resolved, That the Joint State Government Commission shall re-establish the Advisory Committee, to the Legislative Subcommittee on Decedents' Estates Laws and reappointment the same members to said Advisory Committee.

Laid over for one day under the Rules.

BILLS INTRODUCED AND REFERRED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. SNOWDEN and HARE read in place and presented to the Chair Senate Bill No. 684, entitled:

An Act to add section two thousand ten to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Highways to establish a merit system.

Which was committed to the Committee on Highways.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 953, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3001 [Right of] Acquisition of Lands and Buildings Townships may separately or jointly by ordinance dedicate and set apart lands not dedicated to other public uses or purposes and may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks [parkways playgrounds playfield gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places and may borrow money and issue bonds for such purpose The provisions of this section shall not authorize the appropriation of private property outside the township limits nor the appropriation of any property belonging to or used as a cemetery or place of public worship or any public or parochial school or other educational or charitable institution or seminary] recreation areas and facilities

Townships may construct and equip new facilities upon such lands and may levy and collect such taxes or special taxes as may be necessary to pay for the same and make appropriations for the construction improvement maintenance care regulation and government of the same All the costs and expenses relative to any such property acquired by two or more townships jointly shall be paid by the respective townships in such proportions as may be agreed upon by the commissioners thereof

Townships may likewise acquire private property within the limits of another township borough or city for the purpose designated in this section if the other township borough or city shall by ordinance signify its consent thereto

Section 2 Sections 3002 3003 3004 3005 3006 3007 and 3008 of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby repealed

Section 3 Sections 3009 3010 3011 3012 3013 and 3014 of the act as reenacted and amended or added by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 3009 [Power to Maintain Park and Recreation Boards] Creation of Recreation Board Townships may improve maintain and regulate [recreation places] public parks recreation areas and facilities and conduct recreation programs

The authority to supervise maintain and regulate [recreation places] parks recreation areas and facilities may be vested in any existing body or board or in a park board or recreation board as the township commissioners may determine The township commissioners may equip operate and maintain the [recreation places] parks recreation areas and facilities as authorized by this act and [may] shall for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

If the township commissioners shall determine that the power to equip operate and maintain parks recreation areas and facilities shall be placed in a recreation board such board shall possess all the powers and be subject to all the responsibilities of the commissioners under this article In such case the recreation board shall exercise its powers and duties in establishing standards qualifications and salary schedules to be approved by the commissioners for all classifications of recreation employes Whenever boroughs cities counties townships school districts or any of them wish to develop a cooperative plan of recreation service with a township the recreation board shall have the power to adjust the personnel standards qualifications and salary schedules as established to be approved by the commissioners to meet the terms of a joint operation agreed upon

Section 3010 Composition of Park or Recreation Boards [Appointment and Personnel Of If the township commissioners shall determine that the power to equip operate maintain and regulate recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the township commissioners under this act Such] Park or recreation boards when established shall consist of five or seven persons and when established in a township having a school board two the members shall be members or appointees of the school board The other members of such boards shall be appointed by the commissioners of such township [except that provision may be made that two of the members of the board may be appointed by the board of school directors of the township] The members of the board shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the [term of one member] terms of not more than two members shall expire annually thereafter Members of such board shall serve without pay [Women shall be eligible for appointment] All persons so appointed shall serve their full terms unless they shall voluntarily resign or be removed by the township commissioners for malfeasance or nonfeasance of duty Vacancies in such board occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as original appointments

Section 3011 Organization of Park or Recreation Boards Powers and Duties Delegated to the Board by the Commissioners The members of a park board or recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this article Such [boards] board shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction Its jurisdiction shall include the right to select employ and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to the township commissioners including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met

Section 3012 [Expenses of Operation and] Maintenance and Tax Levy All expenses incurred in the maintenance and operation of such [recreation places] parks recreation areas and facilities established as herein provided shall be payable from the treasury of such township or borough city county or school district as may be provided for by the agreement of the corporate authorities The township commissioners of such township may annually appropriate and cause to be raised by taxation an amount necessary for the purpose of maintaining and operating the parks recreation areas and facilities and programs The township commissioners may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [recreation places] the parks recreation areas and facilities and the programs thereon

Section 3013 [Joint Acquisition and Maintenance of Public Parks Playgrounds Recreation Centers Et Cetera] Joint Ownership and Maintenance Townships may jointly with cities counties boroughs other townships of either class or any combination or number of such units acquire property for operate and maintain any [recreation places] parks public recreation areas and facilities Any school district may join with the township in equipping operating and maintaining [recreation places] parks public recreation areas and facilities and may appropriate money therefor

Section 3014 Issue of Bonds The township may incur indebtedness and may issue general obligation bonds for the purpose of acquiring lands or buildings for [recreation places] parks and recreation areas and the equipment thereof

Section 4 Article XXX of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended by adding after Section 3014 two new sections to read as follows

Section 3015 Plan of Parks Recreation Areas and Facilities Every township shall have a general plan of its parks recreation areas and facilities including those which may have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township All subdivisions of property thereafter made shall conform thereto The location of parks recreation areas and facilities laid out and confirmed by the township commissioners shall not afterwards be altered without the consent of the commissioners and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the township until approved by the township commissioners

No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located park or recreation area after the same shall have been located or ordained by the township commissioners

Section 3016 Lands for Planned Parks and Recreation Areas to be Appropriated Within Three Years Whenever any park parkway or recreation area may hereafter be superimposed upon the confirmed plan of the streets

parks and recreation areas of any township in the sections not entirely built up by ordinance of the township unless an ordinance actually appropriating the land within the lines of said park parkway or recreation area to public use is duly passed by the township commissioners thereof or the land is acquired by the township commissioners within three years from the passage of the ordinance superimposing the plan upon said land said ordinance superimposing the plan upon the land shall be void and of no effect and the plan shall be automatically removed from the land as if it had never been placed thereon nor shall any plan again be superimposed on the land without an accompanying ordinance condemning it to public use

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No 953, RECALLED FROM THE GOVERNOR

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 953, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McGinnis,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery.	Snowden,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 247, as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement further prescribing the power of the retirement board to provide minimum retirement allowances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section 6 and the last paragraph of section 12 of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" which was added by the act approved the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1398) are hereby amended to read as follows

Section 6 County Employes' Retirement Fund

* * * * *

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundred-twentieth (1/120) or one one-hundredth (1/100) class to the one [one-hundredth (1/100)] eightieth (1/80) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1/120) class or one one-hundredth (1/100) class as the case may be

Section 12 Superannuation Retirement Allowances

* * * * *

[Whenever] Wherever the board [shall] has by rule [authorize] authorized the members of the retirement system to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundredth (1/100) class and whenever the board shall hereafter by rule authorize the transfer to the one eightieth (1/80) class the county annuity shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1/120) rate or the one one-hundredth (1/100) rate as the case may be

(b) For service subsequent to the time of transfer to the time of retirement or to the time of a subsequent transfer at the [one one-hundredth (1/100)] rate applicable during such period

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1/120) rate bears to the total time of contribution and as the time he contributed at [the one one-hundredth (1/100) rate] any other rate herein provided for bears to the total time of contribution

Section 2 Section 15.1 of said act which was added by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1415) is hereby amended to read as follows

Section 15.1 Optional Minimum Allowances At any time the board by rule may be increasing the county annuity authorize the payment of a minimum annual retirement allowance of twelve hundred dollars payable monthly in the amount of one hundred dollars to every beneficiary who [has retired] shall thereafter retire for superannuation after twenty years' service as a county employe but no county annuity shall in any case exceed fifty per centum of the average salary

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,

Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Snowden,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 343, Printer's No. 128, and

Senate Bill No. 554, Printer's No. 293.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 603, as follows:

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee providing for its membership and defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a continuing joint legislative committee to be known as the Joint Legislative Budget and Finance Committee and to be composed of the chairmen of the House of Representatives committees on Appropriations and Ways and Means the chairmen of the Senate committees on Appropriations and Finance and eight additional members Four of the additional members shall be Senators two from the majority party and two from the party having the next largest representation to be appointed by the President Pro Tempore the remaining four shall be members of the House of Representatives two from the majority party and two from the party having the next largest representation to be appointed by the Speaker The members of the committee shall be selected during each odd-numbered year and shall continue as members until the first Tuesday in January of the next odd-numbered year and until their respective successors shall be selected The committee shall organize by the selection of a chairman who shall not be one of the chairmen of the House of Representatives committees on Appropriations or Ways and Means nor one of the chairmen of the Senate committees on Appropriations or Finance

Section 2 The committee shall ascertain facts and make recommendations to the General Assembly and to the houses thereof concerning the State budget the revenues and expenditures of the State the organization and functions of the State its departments political subdivisions and agencies and such other matters as may be required by joint resolution of the General Assembly

Section 3 The committee shall have power and its duty shall be

(1) To meet at least quarterly and conduct its business at any place within the Commonwealth during the sessions of the General Assembly or any recess thereof and during the interim period between sessions

(2) To make reports at least quarterly showing in detail the exact status of the biennial budget with regard to revenues and expenditures of the State government

(3) To prepare a digest of all appropriation bills and all bills committing the State to future expenditures introduced in the General Assembly Such digest shall be begun at the beginning of each session and shall be kept current during the session

(4) To employ a legislative auditor

(5) To utilize the personnel and offices of the Joint State Government Commission

(6) To call upon any department or agency of the State government for such information as it deems pertinent to the studies in which it is engaged and the Auditor General shall deliver to the Joint Legislative Budget and Finance Committee a copy of all audit reports annually made by the Auditor General's Department

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, before we vote on this bill, I want to say that from a legislative, budgetary and taxation standpoint, it is one of the most progressive bills that has come before us in at least the three Sessions that I have been here.

Mr. President, this bill will take the Legislature out of the dark and place it in the light on fiscal problems. I have no hesitancy in saying that if the members of the committee that serve on this group do their work conscientiously, we will have a head start at each Session of the Legislature on fiscal problems. However, I wish to draw your attention to the fact that on page 3, section 2, of this bill, it states that one of the functions of this committee will be to make reports at least quarterly, showing in detail the exact status of the biennial budget with regard to revenues and expenditures of the State Government.

Mr. President, I want to say that if this Legislative Committee is to present to the people of Pennsylvania correct statements, as indicated in the bill, it will be necessary—I cannot too strongly stress the importance of what I am going to say—to pass a bill setting up an Accountant General in Pennsylvania, so that the information that will be supplied to this committee will be true and correct, and not of the type that is given to the Legislature at the present time.

Mr. President, I want to read from a portion of the Report of the Chesterman Committee, under the Accounting System. This is what it states; this is an absolute true statement from my experience in State Government. It states, and I quote:

" 'There have been many arguments reported in the public press about the existence of a so-called "surplus" or "deficit",' the Committee recalled, 'and the annals of each succeeding session of the Legislature are replete with conflicting assertions regarding financial matters which result in controversy and public distrust.

" 'Such confusion results from the absence of proper accounting and financial reporting. A designated surplus may actually be a cash balance without regard to existing obligations. Payment of these obligations may transform

a so-called surplus to a deficit because the obligations exceed the cash available.'

"The Budget Office, the Committee noted, 'holds that it has all the necessary data for adequate financial reports and that these reports are always available.

"'While the Budget Office does have many reports,' it was added, 'they are inadequate in the accounting sense for the simple reason that the rigid cash-basis of record-keeping does not provide the full facts.'"

Mr. President, I want to repeat that that is a correct statement. By setting up an Accountant General under the terms of the bill, we will have changed the method of operation of the State Government from a cash to an accrual basis. By doing so, it will be possible to determine the true financial condition of the Commonwealth at any given period, which is important in the framing of the budget, the tax program and other fiscal matters.

Mr. President, I repeat that this is a good bill, and I certainly hope that every Member of the Senate will vote for it. that the House will adopt it like the Senate and that the Governor will sign it into law.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson. Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Snowden,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 889 of the act approved the twenty-fourth day of June one thousand nine hundrd thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 401) is hereby further amended to read as follows

Section 889 Illegally Wearing Military Insignia Whoever wilfully wears the insignia badge shield or button of the Loyal Legion of the United States or the Grand Army of the Republic or the Union Veteran Legion or the Order Sons of Veterans or the Spanish-American War Veterans or the Society of Spanish-American or Philippine Wars or the American Legion or the Veterans of Foreign Wars of the United States or the Disabled American Veterans of the World War or the American Veterans of World War II (AMVETS) or the Marine Corps League or the Air Force Association or the Civil Air Patrol or the official decorations of any said organizations or uses the same to obtain aid or assistance unless he is entitled to use or wear the same under the constitution and by-laws rules and regulations of such organizations is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars ($100) or be imprisoned for a period not to exceed sixty (60) days or both

Section 2 Section 891 of the act as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 969) is hereby further amended to read as follows

Section 891 Illegally Wearing Military Uniform Whoever wears the uniform or any distinctive part thereof of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or Civil Air Patrol or of the National Guard while soliciting alms or while engaged for personal profit in selling merchandise or taking orders for the same or while engaged for personal profit in seeking or receiving contributions in support of any cause enterprise or undertaking or while engaged in soliciting or receiving subscriptions to any book paper or magazine unless said wearer is a duly authorized solicitor of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion or the Disabled American Veterans of the World War or the American Veterans of World War II (AMVETS) or the Marine Corps League or the Civil Air Patrol or any local branch camp or post thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or undergo imprisonment for not more than two (2) months or both

This section shall not apply to any member of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or to any member of the National Guard or the Civil Air Patrol while in service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent.	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Snowden,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1152, as follows:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" are hereby amended to read as follows

An Act

Requiring the recorder of deeds of every county except counties of the second class in certain cases to report transfers of property to the commissioners of townships of the first class and to supervisors of townships of the second class

Section 1 It shall be the duty of the recorder of deeds of every county except counties of the second class upon written request therefore as herein provided to furnish the township commissioner of each township of the first class and township supervisors of each township of the second class within the county a record of all transfers of property located within the township when any township imposes a tax on the transfer of real property the commissioners or supervisors shall transmit to the recorder of deeds written request for such record of transfers Such record shall show the name of the grantor and grantee a description of the property as mentioned in the deed the consideration recited in the deed and the value of the federal documentary stamps affixed to the deed Such record shall be sent to the township commissioners or township supervisors as the case may be on or before the second Monday of each month the recorder of deeds chall charge and collect from the person presenting a deed of conveyance for recording the sum of twenty-five (25) cents as a fee for the services hereinabove prescribed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Snowden,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 15, Printer's No. 295, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 193, entitled:

An Act to amend section 263 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing electors in certain cases to present petitions to the court for the submission to the electors of a question of merger of school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 194, entitled:

An Act to amend Section 251 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing electors to present petitions for submission to the electorate of a question of the formation of a union school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 402, entitled:

An Act relating to agreements, leases and other instruments granting anthracite rights, made or joined in by political subdivisions; providing for approval by the Secretary of Mines under certain conditions and rendering them otherwise void; providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions or of a taxpayer of such.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 481, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third eading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 500, Printer's No. 386, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 586, entitled:

An Act to amend the title and Section 1 of the act approved the seventeenth day of April one thousand nine hundred forty-seven (P. L. 63, No. 29) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereof if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" by extending the provisions of the act to cities of the second class of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 590, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurnace rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto a new Article VII relating to title insurance defining and providing for the organization of title insurance companies the regulation and supervision of title insurance and the title insurance business of bank and trust companies trust companies or other corporations prohibiting the transaction of the business of title insurance except by title insurers as defined providing for the regulation of title insurance underwriters as defined prescribing the terms and conditions upon which foreign title insurance companies may be admitted or may continue to do a title insurance business within the Commonwealth conferring powers and duties upon the Insurance Commissioner and the Banking Department with respect thereto prescribing fees imposing penalties and repealing certain acts and parts of acts relating to title insurance companies and the business of title insurance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 591, entitled:

An Act relating to the regulation of rates for title insurance which may be charged by title insurance companies both domestic and foreign banks and trust companies or trust companies having the power to make title insurance and title insurance underwriters to rating organizations conferring on the Insurance Commissioner the power and duty to supervising and regulating persons associations companies and corporations and enforcing the provisions of this act prescribing and regulating the practice and procedure before the Insurance Commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for the enforcement thereof repealing the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 538) insofar as it applies to title insurance repealing inconsistent acts and continuing existing filings and proceedings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 636, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 349) entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds mak-

ing the provisions of the act retroactive and repealing existing laws" by further prescribing what taxes or license fees may be refunded or sued for

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 637, entitled:

An Act to repeal Section 518 of and to add a new section 518.1 to the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The reule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 639, entitled:

An Act requiring insurance companies to accept insurance premiums after thirty days after the premiums are due.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HALUSKA, on behalf of Mr. Lane, offered the following amendments:

Amend Section 1, page 1, line 1, by inserting after the word "companies" and before the word "authorized" the following: "with the exception of Life Insurance Companies"; Amend Section 1, page 1, line 3, by striking out the words "thirty (30) days after the" and inserting in lieu thereof: "the policy is in force"; Amend Section 1, page 2, line 1, by striking out all of said line.

They were agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HALUSKA, on behalf of Mr. Lane, offered the following amendments:

Amend title, line 1 of title, by inserting after the word "companies" and before the word "to" the following: "with the exception of Life Insurance Companies"; Amend title, lines 1 and 2, by striking out the following: "after thirty days after the premiums are due" and inserting in lieu thereof the following: "any time after the policy is in force."

They were agreed to.

The title was agred to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 640, Printer's No. 314, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act appoved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the povisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth section were read and agreed to.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend "Sec. 14," page 30, line 5, by striking out the figure "14" and inserting in lieu thereof: "16"; Amend Bill, page 38, by adding after line 16, the following "Section 17. The provisions of this act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1003, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1101, entitled:

An Act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 495, entitled:

An Act to amend the act approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by conferring on orphans' courts exclusive jurisdiction of all manner of proceedings affecting birth records.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 505, entitled:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" by the changing of consent thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend Section 306 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions con-

cerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by providing for an additional disqualification of persons petitioning for appointment as personal representative.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 583, entitled:

An Act to add Section 1.1 to the act, approved the twenty-sixth day of September, one thousand nine hundred fifty-one (P. L. 1458), entitled "An act relating to records of governmental departments or agencies or private businesses, institutions, professions or callings; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records," by authorizing prothonotaries to make or accept photostatic or microfilm copies of legal documents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts, and fixing the rights and duties of minors, the minors' parents or guardians, and the depository bank with respect thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 669, entitled:

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or any organized subdivision thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 670, entitled:

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 671, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments,

boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined, by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 672, entitled:

An Act to repeal section six of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by eliminating transfers to the Central State Penitentiary at Rockview.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven, nine hundred twelve, nine hundred thirteen, nine hundred fourteen and nine hundred fifteen to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain powers of the Department of Welfare to the Department of Justice; and imposing certain duties upon the Department of Justice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions, and repealing certain acts or parts of acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees; abolishing certain penal institutions; imposing duties upon the Commissioner of Correction of the Department of Justice; and providing for the costs of transportation and maintenance of inmates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice, correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiaries, and persons therein or responsible therefor applicable in the case of the said institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act, approved the twenty-fourth day of March, one thousand nine hundred twenty-one (P. L. 48), entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary, and from the Western Penitentiary to the Eastern Penitentiary, and their imprisonment in the penitentiary to which transferred; imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted; directing that certain notice of such transfer of a convict be given; and making appropriations," by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1257, entitled:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 38, entitled:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs

House Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing for payment of costs in addition to compensation of solicitors and exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act.

House Bill No. 156, entitled:

An Act to further amend clause (b) of section 4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by providing that where the Commonwealth assigns to a third party, and lien or obligation secured for repayment of public assistance, the assignee can collect thereon only the amount he paid to the Commonwealth.

House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial schools.

House Bill No. 779, entitled:

An Act to further amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1182), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County; and prescribing penalties," by extending the period for application for limited examination and to transfer from the jurisdiction of the States Board of Medical Education and Licensure; providing for licensure of non-resident practictioners; providing for licensing of graduates of unincorporated schools of chiropractic; removing requirement to mail registration renewal applications.

House Bill No. 970, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (John M. Walker) in the Chair.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of awaiting a communication from the House.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. HARE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 10, 1953.

Resolved (if the House of Representatives concur), That the following resolution:

"Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, June 15, 1953, at two o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Wednesday, June 17, 1953, at one o'clock p. m., E. S. T."

is hereby rescinded; and be it further

Resolved, That when the Senate adjourns this week, it reconvene on Monday, June 15, 1953, at two o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, June 22, 1953, at one o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KESSLER, on behalf of Mr. PROPERT, from the Committee on Judiciary General, reported as amended Senate Bill No. 634, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties.

BILL INTRODUCED AND REFERRED

Mr. LEADER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LEADER read in place and presented to the Chair Senate Bill No. 685, entitled:

An Act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution providing for the election of and the term of office of the present and future elected Senators and repealing inconsistent laws in respect thereto.

Which was committed to the Committee on Reapportionment.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 573, entitled:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation

Which was committed to the Committee on Finance.

House Bill No. 574, entitled:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assitant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

Which was committed to the Committee on Finance.

House Bill No. 811, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties," by extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 812, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (1951-52 P. L. 417), entitled "An act to provide revenue for State purposes by imposing a property tax, for a limited period of time, on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock asociations, and limited partnerships; excluding certain income; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties," by extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 813, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 816, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate

of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

Which was committed to the Committee on Finance.

BILL ON FIRST READING

Mr. HARE. Mr. President, I move that the Senate do now proceed to the first reading the bill reported from committee for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

(The Senate was at ease.)

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, June 10, 1953.

Resolved, (if the House of Representatives concur), that the following resolution

"Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, June 15, 1953 at two o'clock P. M., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Wednesday, June 17, 1953 at one o'clock P. M., E.S.T."

is hereby rescinded, and Be it further

Resolved, that when the Senate adjourns this week, it reconvene on Monday, June 15, 1953 at two o'clock P. M., E.S.T., and when the House of Representatives adjourn this week, it reconvene on Monday, June 22, 1953 at one o'clock P. M., E.S.T.

The PRESIDING OFFICER. The Chair at this time wishes to inquire of the gentleman from Bucks, Senator Watson, whether the Committee on Executive Nominations has any report to make?

Mr. WATSON. No, Mr. President.

ADJOURNMENT

Mr. HARE. Mr. President, I move that the Senate do now adjourn until Monday, June 15, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:40 o'clock p. m., Eastern Standard Time, until Monday, June 15, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 10, 1953.

The House met at 12:00 noon, EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Almighty God, our refuge and strength; Keep us we beseech Thee under Thy watchfull Providence. Protect our country, guard our homes, and sanctify our lives. So guide our hearts that we may use and not abuse the liberty wherewith Thy Son Jesus Christ hath made us free. In times of prosperity kindle in us a spirit of grateful service, and in adversity endue us with courage, faith and sympathy for others. May truth, purity and charity dwell among us from generation to generation through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, June 9, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, June 9, 1953 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. HARRIS. HOUSE BILL No. 1445.

An Act prohibiting the washing of motor vehicles in Fairmount Park, Philadelphia; prohibiting the use of spring water for such purposes and prescribing penalties.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. WILBUR H. HAMILTON. HOUSE BILL No. 1446.

An Act requiring cities of the first class to pay portions of their compensation heretofore withheld, to officers and men employed in the police departments, fire department and park guards.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. ERB. HOUSE BILL No. 1447.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the careless and malicious discharging of firearms, rifles, guns and other implements and prescribing when carelessness and malice may be inferred.

Referred to the Committee on Law and Order.

By Mr. ERB. HOUSE BILL No. 1448.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the giving of false reports or pretending that a crime has been committed.

Referred to the Committee on Law and Order.

By Mr. VAUGHAN. HOUSE BILL No. 1449.

An Act prohibiting the transportation of explosive or flamable products through any tunnel situated within any second class city, and providing penalties.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. MOODY. HOUSE BILL No. 1450.

An Act removing the disqualification of any person as a witness in any action, suit or proceeding by reason of an interest in the event of the same as a party or otherwise, and repealing inconsistent legislation.

Referred to the Committee on Judiciary.

By Messrs. WILLIAM B. SMITH, STONE, ROBERT K. HAMILTON, PAUL F. JONES and ROVANSEK. HOUSE BILL No. 1451.

An Act making an appropriation to the Department of Property and Supplies for the purpose of constructing in Point Park, Pittsburgh, Allegheny County, a statute of Phillip Murray.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 1452.

An Act to add clause (m) to section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive ad administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by empowering the Governor, under certain conditions, to reorganize certain departments.

Referred to the Committee on State Government.

By Mr. KENT. HOUSE BILL No. 1453.

An Act to further amend subdivision five of the compact contained in the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," so as to permit, on portions of said lake, the operation of motor boats at limited speeds.

Referred to the Committee on State Government.

By Mr. KENT. HOUSE BILL No. 1454.

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined; granting authority to, and imposing duties upon, the Department of Labor and Industry; requiring approval by said department of certain plans for dry cleaning and dyeing plants; prescribing filing fees for applications for said approval; providing for certain administrative and judicial review of the orders and decisions of said department; conferring authority upon certain employes of political subdivisions and representatives of the Pennsylvania State Police; providing penalties for violation of the provisions of this act or the regulations adopted thereunder; and repealing certain acts.

Referred to the Committee on Labor Relations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. JOHN J. MURRAY, JENKINS, VAUGHN, WILT and GEER. (Concurrent) RESOLUTION No. 64.

In the House of Representatives, June 9, 1953.

Whereas, On May 14, 1953, the United States Atomic Energy Commission awarded a Switchgear contract to the Brown- Boveri Company of Switzerland. This equipment is to be installed at the Portsmouth, Ohio plant of the Atomic Energy Commission; and

Whereas, This contract comprises twenty per centum of the national need for this type of apparatus, and in excess of fifty per centum of the expectation of Westinghouse Electric Corporation of Pittsburgh, Pennsylvania; and

Whereas, Brown and Boveri Company of Switzerland bid $3,600,000 as opposed to Westinghouse Electric Corporation, the lowest domestic American bidder, bid of $4,800,000, a differential of $1,200,000; and

Whereas, The allocation of this Atomic Energy Commission contract means a loss in excess of $1,000,000 in taxes to our government; and

Whereas, The loss of job security is intensified by the estimated 700,000 American man-hours. Work denied the lowest domestic American bidder, Westinghouse Electric Corporation, employer of 18,000 workers in the East Pittsburgh plant; and

Whereas, Loss of job security and industrial corporate gains diminishes to a minimum initiative and research and greatly impedes advancement in the field of atomic energy, which is now being weaned from war application to that of commercial usage; and

Whereas, Foreign construction of this apparatus is an obstacle to complete security; and

Whereas, Economy seems to be the theme of justification for the awarding of this contract to Brown and Boveri Company of Switzerland, cognizance must be considered that real economy deals with elimination of unessential services or facilities; and

Whereas, Job security and industrial corporate sustenance are not considered unessential services or facilities. A steri'e formalism would quickly lead to an impasse, therefore, Federal Atomic Energy Commission should at all times be cognizance of its effect on the national and individual State welfare; and

Whereas, All labor organizations of Westinghouse Electric Corporation have mutually agreed that financial hurt has been perpetrated upon Westinghouse Electric Corporation of Pittsburgh, Pennsylvania; and

Whereas, It is logic and practical thinking to assume that all persons having a beneficial interest in this Atomic Energy Commission project, and who will be affected by the commission's contractual administration, should be parties to action of said commission through their Representatives in Congress; therefore be it

Resolved (if the Senate concurs) That the General Assembly hereby memoralize the President of these United States, the Senate Committee on Atomic Energy, the Honorable Senator Martin and the Honorable Senator Duff, of the financial hardship and inconvenience to Westinghouse Electric Corporation of Pittsburgh, Pennsylvania and other reputable electrical firms of Pennsylvania, by the unjustifiable contractual administration of the

Atomic Energy Commission and the reflection of this hardship to the loss of job security and impaired personnel morale. That this false and impractical ecenomy shall not and will not be perpetuated into American industries, thereby creating national economic chaos; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed and he is so instructed to send copies of this resolution to the President of the United States, to the Senate Committee on Atomic Energy and to the Senators of Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Mr. WILBUR H. HAMILTON.

(Concurrent) RESOLUTION No. 65.

In the House of Representatives, June 9, 1953.

The steady influx of imported products and the resultant diminution of available markets for domestic goods is a cancer upon the economic body of our nation.

The preservation of our economic well being is undeniably founded upon a sound domestic economy. This cannot be preserved when domestic capital and labor are required by tariff regulations to compete disadvantageously with foreign capital and labor. It can be maintained only when both compete upon equal terms.

So long as our capital and labor must resort to ruinous price-cutting, resulting in financial loss, reduced wages, unemployment, and reduced investment capital, our economy shall remain unstable.

Today, more than ever, the world looks to our nation for the material and economic aid necessary to forestall world wide depression. It is incongruous that these same nations, while accepting our largesse with one hand should with the other throttle our economic life by demanding reduced tariff concessions.

If we are to fulfill the role of world leadership and avoid economic disaster, it is incumbent upon us to reappraise our economic welfare and to readjust our tariff regulations to that degree necessary to provide fair competition between domestic and foreign capital and labor; therefore be it

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memoralize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation against the destruction or lowering of our American standard of living, the labor standards of our workmen and the stabi'ity of our economy by unfair import competition and that existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The C'erk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 54.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept the disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act.

Referred to the Committee on Welfare.

SENATE BILL No. 59.

An Act to further amend Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by making certain aged persons placed in county homes eligible for assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 83.

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

Referred to the Committee on State Government.

SENATE BILL No. 534.

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by permitting temporary restraint of one alleged to be mentally ill.

Referred to the Committee on Welfare.

SENATE BILL No. 544.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

Referred to the Committee on Education.

SENATE BILL No. 563.

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

SENATE BILL No. 616.

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

Referred to the Committee on State Government.

SENATE BILL No. 618.

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred elven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Conmmonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take on exception to the ruling of a trial judge on the admission or exclusion of testimony.

Referred to the Committee on Judiciary.

SENATE BILL No. 624.

An Act to amend the act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transoctions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

Referred to the Committee on Judiciary.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 8, 1953.

Whereas, Pennsylvania's highway system, comprising more than 40,000 miles, is the most extensive State highway system in the United States; and

Whereas, The Pennsylvania Turnpike is world-famous as the greatest toll highway ever constructed; and

Whereas, Millions of vehicles of all types annually travel the highways of Pennsylvania; and

Whereas, A joint legislative committee of this General Assembly has made extensive investigations and submitted a factual report on turnpike safety; and

Whereas, Much has been accomplished in the interests of safety by said joint legislative committee; and

Whereas, The said joint legislative committee has determined that the study of highway safety should be continued and should include the highway system generally, as well as the turnpike; and

Whereas, the Pennsylvania safety record is outstanding; yet, the concern is that the system shall be the safest in the world; now, therefore, be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission be directed to make a thorough and exhaustive study of the factors responsible for highway accidents and to formulate recommendations contemplating the reduction of such accidents; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations to the next regular session of the General Assembly.

Serial No. 140.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 38.

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs

HOUSE BILL No. 42.

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act

HOUSE BILL No. 156.

An Act to further amend clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse

moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by providing that where the Commonwealth assigns to a third party any lien or obligation secured for repayment of public assistance the assignee can collect thereon only the amount he paid to the Commonwealth

HOUSE BILL No. 292.

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial school

HOUSE BILL No. 779.

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropratic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure extending time for practice unless licensed and registered providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

HOUSE BILL No. 970.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEE

Mr. COCHRAN from the Committee on Liquor Control, reported as amended, House Bill No. 30, entitled:

An Act to amend section 464 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by further regulating appeals and providing for appeals from the Superior Court to the Supreme Court.

Mr. ASHTON from the Committee on Townships, reported as committed, House Bill No. 226, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing the reassessment of certain property in townships of the first class in certain cases, and imposing liability for township taxes upon the owners thereof.

Mr. FLEISCHMAN from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1368, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections," by changing provisions relating to voting by persons in actual military service when present in their districts of residence in which ballots are used.

Mr. MAGUIRE from the Committee on Aeronautics, reported as committed, House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

Mr. THOMAS H. W. JONES from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 325, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occuring under conditions for which said election code does not prescribe machinery

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act to further the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of

appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further regulating the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act to further amend Section 1 of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by designating employes of the county planning commission as county employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act authorizing justices of the peace, aldermen and magistrates to perform official duties of other justices of the peace, aldermen and magistrates in the same county during certain periods of illness and vacation, and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 627, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties, and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire construct improve maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring certain utility rates to be approved by the Pennsylvania Public Utility Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 769, entitled:

An Act to add Section 141.1 to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing county treasurers to appoint their own solicitors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 778, entitled:

An Act relating to the burden of proof in actions of defamation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 782, entitled:

An Act concerning actions for libel, slander or other torts, barring certain actions; regulating the recovery of damages, and making uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act to add Section 54.1 to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing that bonds of county officers and employes shall protect against the loss of money by robbery and burglary and requiring the county to pay the cost of such bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act empowering a court in which is pending an action on behalf of the estate of a decedent to make an order approving a compromise or settlement of such action and to approve an agreement for counsel fees and other proper expenses incident to such action and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1205, entitled:

An Act pertaining to the resignation and retirement of judges under certain conditions fixing their compensation upon resignation or retirement and imposing duties on certain State officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1347, entitled:

An Act to further amend Section 1 2 4 and 8 of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by regulating hours of minors when working on the farm of their parents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1401, entitled:

An Act authorizing corporations to grant stock options pensions and allowances under certain circumstances and validating stock options pensions and allowances heretofore granted.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1419, entitled:

An Act to amend Section 14 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Development Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent demain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by removing the requirement for approval of the Department of Internal Affairs covering obligations of the Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1420, entitled:

An Act to amend Section 6 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1633) entitled "An act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation" by changing limitation as to tenant admissions in urban redevelopment projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1421, entitled:

An Act to amend Section 12 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to

be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by puchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments by providing for the admission of certain evidence before the board of view or the court of common pleas.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 50, entitled:

An Act to further amend section 306 and to amend subsection A of section 318 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes and providing for the powers duties and liabilities of such trustees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 189, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Boards," by making certain changes in the grievance procedure provided for in the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 216, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provisions of the act and changing the date on which the period of redemption commences to run on tax claims.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 228, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 322, entitled:

An Act to amend the title and sections 1 and 2 of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof," by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 323, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief asessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 324, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 359, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 525, entitled:

An Act to amend the title and subsection (H) of Section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 528, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring pemits and home-wokers' certificates and prescribing the fees therefor confering powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the liens of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divesticure by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor, creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition

of property heretofore sold to the county commisioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims, giving of notice, claims becoming absolute, filing of exceptions and the holding of sales and changing the manner of distributing certain payments

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

LEAVE OF ABSENCE

Mr. KENT. Mr. Speaker, I request leave of absence for the gentleman from Adams, Mr. Worley, because of the mumps.

The SPEAKER. If there is no objection, leave of absence will be granted. Is there objection?

Mr. ANDREWS. Mr Speaker, I desire to comment on the request for leave of absence for the gentleman from Adams.

The SPEAKER. The gentleman has the privilege of commenting on the request for leave of absence.

Mr. ANDREWS. Every phenomenon has a natural explanation if you look for it. There has been a stirring of the dry bones and indications that this House is about to proceed with an unaccustomed celerity.

I presume that it is for fear that the infection, either innocently or maliciously spread by the gentleman from Adams, I would not know, may have affected the whole circle in which he has been more or less a member now and then, in and out, and that it is the desire to transact very important business today for fear that tomorrow there will be nobody on the other side who is able to talk after having been talking with so little effect for so many months.

The SPEAKER. There being no objection, leave of absence is granted.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Ragot for Mr. IDE, because of illness.

Mr. Kent for Mr. BLAIR, because of illness.

Mr. George E. Jones for Mr. ERB, for the remainder of week, after today's session because of death in the family.

Mr. Granville E. Jones, for Mr. PETTIGREW because of illness.

Mr. Kornick for Mr. COCHRAN for the week.

Mr. Filo for Mr. BOIES for today's session.

Mr. Hersch for Mr. CIANFRANI for today's session.

Mr. Kent for Mr. WATKINS because of illness.

Mr. Schwartz for Mr. HOGGARD, because of illness.

Mr. William B. Smith for Mr. STONE for the remainder of the week.

Mr. Poltenstein for Mr. FLOYD for the remainder of the week because of illness.

DEATH OF EMPLOYES

The SPEAKER. At this moment, for the information of the House, the Chair regrets to inform the Members that the gentleman from Blair, Mr. Erb, was suddenly called to the House around 12 o'clock last evening when his brother died suddenly while working for the House.

That is the reason for the request for leave of absence for Mr. Erb.

The Chief Clerk, Mr. Habbyshaw, has also informed the Chair that Reverend Lantz, who worked with the brother of Mr. Erb in the House Storeroom, died yesterday.

CALL OF THE HOUSE

Mr. JOHNSON. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from McKean, Mr. Johnson, suggests the absence of a quorum. The Sergeant-at-Arms will close the doors of the House and only permit Members to enter.

The roll was called and was as follows:

PRESENT—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Bomberger,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hocker,	Moore,	Taylor,
Breisch,	Jenkins,	Moran,	Thomas,
Breth,	Jim,	Moscrip,	Thompson,
Brown,	Johnson,	Muldowney,	Toll,
Bucchin,	Jones, Geo. E.,	Munley,	Tompkins,
Buchanan,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Bullen,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Capano,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Verona,
Connelly,	Kent,	Olsen,	Wall,
Conner,	Kerlin,	Parlante,	Wallace,
Cooper,	Kline,	Peifly,	Walsh
Coyle,	Kohl,	Peta,	Wargo,
Curwood,	Kolankiewicz,	Petrosky,	Waterhouse,
Davis,	Kornick,	Pfaff,	Weidner,
Dougherty,	Kratz,	Phillips,	Welsh,
Down,	Kromer,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

ABSENT—0

ABSENT WITH LEAVE—9

Boles,	Floyd,	Ide,	Watkins,
Clanfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The SPEAKER. One hundred and ninety-eight Members having answered to their names, a quorum is present.

Mr. JOHNSON. Mr. Speaker, I move that further proceedings under the Call of the House be dispensed with.

The motion was agreed to.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 10, 1953.

Reso'ved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 15, 1953, at two o'clock p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Wednesday, June 17, 1953 at one o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. ANDREWS. Mr. Speaker, does the leadership envision an early termination of the present Session, and if so, what is the terminal objective upon which they have decided?

Mr. JOHNSON. Mr. Speaker, I believe the membership does need a word of explanation on the resolution that has just been sent over from the Senate. We of course plan to stay here tomorrow, work four days this week. Because of the hotel situation the House will not be able to return next week. The Senate, however, will be in session.

It will be necessary that we come back, as many as possible, on Wednesday for the purpose of receiving communications from the Senate so that bills may be signed by the Speaker in the presence of the House.

We hope that today will again be an important day. I realize we have been saying that all Session. We have numerous tax bills on our calendar. We hope we can resolve the impasse that we are in as a result of today's action and that we can adjourn sine die on the second day of July.

We believe we will solve, or partially solve our tax problem today, that by the second of July, if we all come back here week after next and really get down to business, we can wind up the affairs of the Session. So there is tentatively an idea that we will try and get out of here on the second day of July.

Mr. ANDREWS. A further inquiry. When is the legislative reapportionment bill scheduled for action?

Mr. JOHNSON. Mr. Speaker, that bill is on second reading today; it will be called up today. As far as I know, it will be ready for amendment today, and will be placed in position for final passage tomorrow.

Mr. ANDREWS. When is it proposed to press for final passage of the bill?

Mr. JOHNSON. Mr. Speaker, I would say the leadership on this side would like very much to see action on the bill tomorrow. That is the reason why we would like to have everybody here tomorrow. There will not be a consent calendar tomorrow, it will be a full working day. We would like to be able to pass the bill if possible or give it some treatment tomorrow so that it can be sent to the Senate.

Mr. ANDREWS. Mr. Speaker, I desire to inform the Majority Leader that if it is decided to press for action upon the legislative reapportionment bill in its present form, there will likely be a failure upon the part of the minority to cooperate with the majority party's legislative program.

We are not prepared to accept the reapportionment bill in its present form. We are not prepared to cooperate in a tax program and then be faced with the legislative reapportionment bill in its present form.

Mr. JOHNSON. Mr. Speaker, I might say that about four weeks ago the Minority Leader did suggest that, I believe he stated, Allegheny County did want to discuss reapportionment at length.

Yesterday, however, I spoke to the Chairman of the Reapportionment Committee, Mr. Weidner, who is handling the bill and asked whether there had been any requests made for any public hearings by the Allegheny County group, and I believe his answer was that there had been no request made.

If there is a change in that thinking and some negotiations need to be entered into, that is something else.

The gentleman's remarks come to me as a surprise at this time. I presumed that the bill was ready to be voted upon on the floor, that amendments were going to be offered, and they would stand or fall, and then the bill would be placed in a position for final passage.

I would suggest that the Minority Leader or the Pittsburgh group get in touch with the Chairman of our Reapportionment Committee, that is the House Reapportionment Committee, discuss the bill, and any proposed amendments so that we can enter into some area of agreement.

Mr. ANDREWS. Mr. Speaker, we are not disposed to confine the discussion solely to the Chairman of the Reapportionment Committee. We think the responsible leadership should call into conference the parties at interest in Allegheny County and ascertain whether there is not some basis for a reasonable compromise as far as that situation is concerned.

There are a couple other points that should be discussed. There have been no public hearings. This bill has been trotted out here, and some of our Members think some of its provisions are manifestly unfair and that, in short, the legislative reapportionment bill in its present form is an attempt to legislate a political party out of existence.

We want the matter looked into. We think the leaders of both parties should give some attention to this matter. It is a very serious matter.

Mr. JOHNSON. Mr. Speaker, I would say that as the Majority Leader I would be very glad to meet with all groups that are not satisfied with the bill, together with the Chairman of the Committee on Reapportionment and

other members of the committee that would like to sit down and thrash this matter out.

As to passing over the bill today, I would like to confer with the sponsor of the bill and I will be glad to give the Minority Leader an answer on that question after we have caucused this afternoon.

Mr. ANDREWS. Mr. Speaker, may I interrogate the leader of the Allegheny delegation?

The SPEAKER. Will the gentleman from Allegheny, Mr. Sarraf, permit himself to be interrogated?

Mr. SARRAF. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, when would the Allegheny delegation be prepared to confer with the majority leadership concerning the Allegheny situation as far as legislative reapportionment is concerned?

Mr. SARRAF. Mr. Speaker, we will be glad to meet this afternoon and confer on this matter. In fact we have already conferred on the matter and would be glad to give our views as to the reapportionment situation in Allegheny County.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

The Allegheny County leadership will meet with the Majority Leader and other representatives of his party at such a time as the Majority Leader may elect.

Mr. ANDREWS. Mr. Speaker, it is understood that that conference is accorded a high priority.

On the question recurring,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, in order to minimize discussion in the various caucuses, since I understand the Majority leadership is prepared to call up various tax bills for consideration, I would suggest that the Majority Leader list the number of the bills that he has proposed to call up for action—the tax bills, briefly describe what they do and report his opinion as to the amount of money that will probably be raised by each measure put through.

The SPEAKER. Before the Chair declares a recess, for the benefit of the Members, it is suggested that the Members immediately go to their caucus rooms so as not to take any unnecessary time, as there is a heavy calendar and we probably again will be in a long night session.

Mr. ANDREWS. Mr. Speaker, I again propose that the Majority Leader list the number of the bills that are proposed to be called to the attention of the House, briefly describe their purpose and give his opinion as to the amount each one of them would raise as a step in curtailing the discussion in the caucus into which we are about to enter.

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, I would request that the Members take their House Calendars, and turn to page 25. I will, in this brief explanation cover all of the tax bills on the calendar, so that we will have a picture of each bill that is on the calendar and just what each bill does.

House Bill 900, on page 25, while it is not a tax bill, it is a loop-hole-plugging bill requiring buses and trucks to display the special printed stamps showing that they have paid the gross receipts tax. If certain taxes pass today which will raise enough revenue, House Bill 900 will not have to be passed and we intend to restore to the truckers the exemption we took away from them last session. The bill is on the calendar, and with that explanation I will go to House Bill 1078, also on page 25.

This the constitutional amendment bill which will make it possible to have a graduated income tax in Pennsylvania if the bill passes two sessions of the Legislature and is voted upon by the people.

On page 27, House Bill 633, is the tobacco tax bill—tax on cigars and so forth that is estimated to bring in $10 million.

Also on page 27, 1343 is another cent on a package of cigarettes, which would bring in approximately $22 million.

On page 28, 1376, is the soft drink tax, which is estimated to bring in $29 million.

Also on page 28, 1377, the unincorporated business tax, at one percent. It is very hard to estimate that figure, possibly $30 or $35 million, at one percent.

Also on page 28, House Bill 908, is the use sales tax bill. The only figure that I can give you is that I understand that in the State of Ohio their use tax bill brings in about $8 million a year.

House Bill 909 is the one percent sales tax bill. We have estimated that that would bring in $170 million; that is the top figure for that. However, if it is passed there will be a month's or six weeks' revenue lost at the rate of about $7 million a month.

The next bill is on page 34, which is 811, that is the loop-hole plugging corporate net income tax, which covers interstate corporations and is the so-called Kent bill from last session, which I understand brought in possibly $400,000 in its first biennium.

On page 35, 812 is the regular corporate net income tax bill which if enacted would put five percent on corporations and is estimated to bring in $250,000. I will have something to say about that when I finish.

On page 35, 813 is the continuation of the postponement of the manufacturer's exemption from payment of the capital stock tax. The revenue from that is hard to estimate, but I would figure from $25 to $30 million. That is manufacturers paying the capital stock tax, around $25 to $30 million.

On page 35, 814, is the tax on mutual insurance companies which brings in about $4 million, I believe.

On page 36, House Bill 816 is the continuation of the temporary gross receipts tax on electric light companies, gross receipts from transmission companies at 6 mills which brings in $10 million.

You will recall that Governor Fine in his speech recently before the Legislature said that he was increasing the estimated yield this biennium by $20 million. Of that yield $2 million is from the franchise capital stock tax, $5,400,000 is increase in the corporate net income tax, $1,500,000 is from miscellaneous revenue, $2 million is from institutional revenue, $3 million increase in the inheritance tax, National banks $500,000, insurance, domestic companies $650,000, foreign life $500,000, foreign casualty $1 million, cigarettes $1,250,000, corporation income tax being the last session Kent Bill, $500,000, malt

beverages, $500,000, licenses and fees $500,000, fines and penalties $500,000, and those will total $20 million.

Mr. ANDREWS. I thank the Majority Leader.

SENATE MESSAGE

ADJOURNMENT SINE DIE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 10, 1953.

Resolved (if the House of Representatives concur), That this Regular Session of the General Assembly adjourn sine die, Thursday, July 2, 1953, at 5:00 o'clock p. m. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEE

Mr. AUKER, from the Committee on Game and Forestry, reported as amended, House Bill No. 1114, entitled:

An Act to add clause (n) to Section 1802 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers' Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges on land under its jurisdiction.

Mr. AUKER, from the Committee on Game and Forestry, reported as committed, House Bill No. 1115, entitled:

An Act to amend subsection (f) of Section 906 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consoidating, and changing the law relating thereto," by authorizing the Pennsylvania Game Commission to grant certain privileges on land under its jurisdiction.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and a half. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 629.

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 953.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1152.

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 18, by inserting after the word "deed" the following: "the consideration recited in the deed and the value of the Federal documentary stamps affixed to the deed"; page 3, line 2, by inserting after the word "month" the following: "the recorder of

deeds shall charge and collect from the person presenting a deed of conveyance for recording the sum of twenty-five (25) cents as a fee for the services hereinabove prescribed."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Goodling,	Maxwell,	Scott,
Ashton,	Gramlich,	McCann,	Seyler,
Banker,	Greenwood,	McCullough,	Shoemaker,
Barkdoll,	Guss,	McDermit,	Shotwell,
Baumunk,	Gutendorf,	McInroy,	Smith, W. B.,
Bear,	Guthrie,	McWherter,	Snider,
Blair,	Hall,	Metz,	Spencer,
Bolton,	Hamilton, R. K.,	Mihm,	Stank,
Bomberger,	Hamilton, W. H.,	Mikula,	Stevenson,
Bower,	Haudenshield,	Miller,	Stimmel,
Breisch,	Helm,	Mills,	Stone,
Breth,	Hewitt,	Moody,	Stoner,
Brown,	Hocker,	Moore,	Strausser,
Buchanan,	Jenkins,	Moran,	Sucher,
Bullen,	Jim,	Moscrip,	Taylor,
Capano,	Johnson,	Muldowney,	Thomas,
Cioffi,	Jones, Geo. E.,	Munley,	Thompson,
Clapper,	Jones, Paul F.,	Murray, J. J.,	Tompkins,
Connelly,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cooper,	Jump,	Musto,	VanSant,
Curwood,	Kamyk,	Naugle,	Varner,
Davis,	Keller,	Needham,	Vaughan,
Dougherty,	Kent,	Ogilvie,	Verona,
Down,	Kerlin,	Olsen,	Wall,
Downey,	Kline,	Peifly,	Wallace,
DuBois,	Kohl,	Pfaff,	Wargo,
Dunn,	Kornick,	Phillips,	Waterhouse,
Erb,	Kratz,	Polaski,	Weidner,
Ewing,	Kromer,	Polen,	Wescott,
Farabaugh,	Kubacki,	Price,	Whalley,
Fenrich,	Lafore,	Quisenberry,	Wheeler,
Ferster,	Leisey,	Ragot,	Whitenight,
Filo,	Leonard,	Readinger,	Willaredt,
Flack,	Light,	Reagan,	Williams,
Fleischman,	Lippincott,	Reidenbach,	Wilt,
Flynn,	Lopresti,	Richter,	Wood,
Frost,	Lovett,	Rovansek,	Yeakel,
Geer,	Lutty,	Royer,	Yetzer,
Gibson,	Mahan,	Rubin,	Young,
Gleason,	Markley,	Sarraf,	Ziegler,
Glick,	Mathews,	Schmidt,	Smith, C. C.,
		Schuster,	Speaker

NAYS—33

Adam,	Coyle,	Maguire,	Rosen,
Alexander,	Harris,	McCormack,	Schwartz,
Amarando,	Hersch,	McGee,	Toll,
Auker,	Jones, Gran'le E.	Monroe,	Varallo,
Bazin,	Kolankiewicz,	Parlante,	Walsh,
Boory,	Lederer,	Peta,	Welsh,
Bucchin,	Leven,	Petrosky,	White,
Comer,	Limper,	Poltenstein,	Zeitz,
Conner,			

NOT VOTING—9

Boles,	Floyd,	Ide,	Watkins,
Cianfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 247 and 603.

Resolution for concurrence Serial No. 135.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1098, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1422, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance of special three-day licenses to nonresidents, by increasing the maximum license revocation period for a first offense, by eliminating the requirements for tags before shipping raw furs to other states, by increasing the penalty for failure or refusing to stop vehicle or conveyance, and by providing additional penalties.

Anfd said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WATERHOUSE.

The House resumed the consideration on final passage of House Bill No. 573, as follows:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 219) is hereby further amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county city borough town township school and poor purposes at the annual rate

(a) All real estate to wit Houses lands lots of ground and ground rents mills and manufactories of all kinds furnaces forges bloomeries distillers sugar houses malt houses breweries tan yards fisheries and ferries wharves and all other real estate not exempt by law from taxation Machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not be considered or included as a part of the real estate in determining the value of such mill mine manufactory or industrial establishment Provided however that the exclusion of machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not apply to the county of the second class

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth Provided That whenever a person other than a Federal employe not taxable under the provisions of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessments The provisions of this clause shall not apply to counties of the second and third class or to any other county the county commissioners of which shall by resolution determine not to levy a tax on trades occupations professions and persons who follow no occupation or calling nor shall the provisions of this clause apply to cities of the second and second A class or to school districts

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 2 The provisions of this act shall become effective the thirtieth day of June one thousand nine hundred fifty-three

On the question recurring,

Shall the bill pass finally?

Mr. POLASKI. Mr. Speaker, I would like, first, to have unanimous consent of the House at this time to discuss House Bill No. 573 and House Bill No. 574 which cover the same subject.

The SPEAKER. Without objection the gentleman will proceed to speak on both bills. The Chair hears none.

Mr. POLASKI. Mr. Speaker, bills similar to House Bill 573 and House Bill 574 were recommitted in the session of 1951. The 1953 bills differ from the 1951 bills in that they now exempt Allegheny County. For some reason or other Allegheny County can do no wrong to Pennsylvania industry while Erie appears to be the only guilty culprit. The bills have the meek appearance of a lamb while they possess the potential treachery of a Rocky Mountain lion.

House bills 573 and 574 are very broad and all-inclusive in their application. They affect fourth, fifth, sixth, seventh and eighth class counties as well as certain smaller political subdivisions in those counties.

While at present these bills affect only the city of Erie and Allegheny County, all the counties and subdivisions mentioned in House Bill 574 would never be able to use this kind of levy if they should find themselves in a sudden financial predicament.

Outlawing this kind of levy would be analogous to outlawing Bill 481 from now on for those political subdivisions who have up to the present moment refrained from invoking it.

House Bill 573 is very inclusive as to the type of machinery which cannot be assessed. It says the following, beginning with line 7, page 3—and Mr. Speaker, I will read the section which includes the exceptions:

"Machinery, tools, appliances, and other equipment."

Mr. Speaker, the two words "other equipment" could rise to haunt many Members of this House if these bills should pass. As the Finance Director of the city of Erie for eight months in 1948, I have become rather well acquainted with the work of an assessor in a third class city. The work of an assessor in a third class city is not much different from that of a county assessor in the counties which are included in this bill. In other words, when we say in this bill that other equipment will be excluded from the possibility of assessment, we are prone to throw the assessment programs in all these counties into a bundle because no Member of this House can convince me that the county assessors in the counties affected by this bill do not now at least include furnaces built into the walls of buildings or heavy equipment cemented into the floors as part of their building assessment.

If these bills should be enacted into law, it will be possible for the county assessors in these counties to absolutely limit themselves only to the mortar and brick of the buildings. We know that is not fair because even today if you should have a mortgage on an industrial plant and the mortgagee fails to make interest payments or periodic payments on his mortgage, you can foreclose on the plant, and any machinery which is attached to the floor can be foreclosed with the building.

That is why I say these bills are so dangerous from that standpoint. On the surface they appear only to affect Erie, but they could affect every one of the classes of counties which are mentioned in the bill.

Economically speaking, there is nothing fundamentally wrong with taxing machinery in this state. This statute has been on the books since 1833. In other words, our forefathers thought it was fair 120 years ago, long before machinery became a real factor in the development of giant nation-wide industries and tremendous concentration of wealth.

It was suggested here that we could levy the same tax under Act 481. Our solicitor informs me that the series of decisions handed down by the State Supreme Court relative to the types of taxes which can be levied under

Act 481 precludes the assessing of machinery under this "tax-anything" law, and the net effect of the decisions has been, over the last few years since 1947, to gradually narrow down the number of types of taxes which can be levied under this Act. In fact, our Council in Erie levied an excise tax on production under Act 481, which was declared unconstitutional almost immediately. A tax on machinery cannot possibly be justified under any category except as real estate.

If these two bills pass, they will create financial chaos for the city of Erie and the school administration of the city of Erie.

The effective date of these bills is July 1 of this year, only two or three weeks from now. The two subdivisions will lose a quarter of a million dollars for the remainder of the year, and a half million dollars each year thereafter.

We have no immediate solution to this problem of loss of revenue except to raise the real estate tax millage for the city taxpayer and the school taxpayer This would work a hardship on the small home-owner who is already paying a higher city and school tax this year in addition to a new sewer rental bill and a city wage tax.

I hope the effect of the vote today will not be to unload this burden on the small home owner.

Mr. Speaker, when we discussed this bill several weeks ago, I read telegrams from various organizations throughout the State which are opposed to this bill. I will not again read these telegrams, but I would briefly like to mention the organizations which have rallied to oppose this Bill.

They are the State CIO, local CIO, State Federation of Labor, local Federation of Labor, the East Erie Improvement League, and the Local Division of the PSEA which numbers something like 700 teachers. Since then one or two other organizations have decided to oppose these bills, and now for the first time I would like to read the telegram to you which I received last week.

"Dear Mr. Polaski:

The Pennsylvania School Directors Association at their meeting held in Harrisburg, Saturday, May 9, went on record as opposed to House Bills 573 and 574, and having to do with the exclusion of machinery, tools, appliances and other equipment contained in any mill or manufactory from assessment and taxation.

P. O. VAN NESS
Executive Secretary,
Pennsylvania School Directors Association."

I also have a letter from the Erie City Council, a letter from the School District of the city of Erie, and I would also like to have permission to read an editorial from one of Pittsburgh's most prominent dailies.

This is the editorial:

KILL THIS TAX PROPOSAL. A House Bill to exempt industrial machinery from assessment for taxes reflects the local fight in Erie County and is not deserving of serious consideration by the General Assembly. If it should become law, it would play havoc with the financial and political subdivisions throughout Pennsylvania.

Allegheny County officials, for instance, estimate such a law would necessitate the increase of a mill and a half in the county tax rate. The load would be shifted from industry onto the backs of already heavily burdened home owners.

This legislation has won the endorsement of the Civic Club of Allegheny County which, in its current bulletin, advances this specious argument:

"To include machinery and equipment as part of the value of real estate is not just and this practice discourages industry from locating in Allegheny County."

Now this will be news to a lot of people in this district, and particularly to the Chamber of Commerce, which likes to cite the gratifying industrial growth in recent years. The Statute under which real estate includes machinery in the computation of assessed valuation has been operating in Pennsylvania for well over a century. It would not appear to have hampered its development as one of the greatest industrial states in the nation.

The present law does not put this state at a competitive disadvantage in attracting new industry. In practically all industrial states, machinery is taxed in one way or another.

If, however, machinery were exempted, the financial structures of many Pennsylvania communities would be completely demoralized.

Mr. WATERHOUSE. Mr. Speaker, I will be very brief because I know we have a lot of work ahead of us, but we know that the law that the assessment is made under is an old law. It has not been used until recent years and only by the city of Erie since 1950. So it is a pretty good indication that they can get along without the imposition of this discriminatory tax.

We talk about fairness, and that that is what we are here for, to see that we are fair, and I would just ask this question, Mr. Speaker: An industry which has a couple of diesel locomotives that they use for moving their freight from trunk lines and on their own lines is assessed as real estate. The same type of machinery owned by the railroad traveling over the same track is not assessed as real estate. An industry owns motor trucks which they use to go out in the country to get stuff with which they manufacture their products, are assessed as real estate. The same kind of truck owned by another person, transporting the same thing over the same road is not assessed. So, it looks to me pretty much as if it is definitely taking a shot at some one person or some one business.

We say that it is not affecting us. In Erie alone, I have just a little note here, and it certainly seems more than a coincidence that two large firms have left Erie and two others are now committed to expand in other states other than Pennsylvania. There is a large piece of equipment that was shipped into Erie recently that is not being installed there, it is being re-shipped to the State of Washington.

I can only look at it this way, they say let us not put this load on the small home owner. What is going to happen to Pennsylvania if we continue discrimination against industry and we get into the position that some of the New England States are when their industry has just flown the coop. Right now we are exacting 62 percent of our budget from business, which I think you will find is by far the highest in the Union, and definitely much higher than any other industrial state. In a recent survey among large industrialists, Pennsylvania was quoted as 46th in desirability for new industry.

Those are many things that we must think about. Great nations, the greatest in the world, have fallen because they thought they really could not be touched, and

it can certainly prove true with the Commonwealth. If we keep taking pot shots at this goose that has been laying the golden eggs, it will not be long until we will not have even the goose, and then we will be wondering how we are going to pay our bills.

That is about all I have to say. I think it is good legislation. I think it is good for industry. I think it is good for Erie. I think it is good for all of Pennsylvania, and I think it is definitely good for labor. I will ask the Members to support it.

Mr. POLASKI. Mr. Speaker, I do not want to prolong this debate except to answer the gentleman very briefly.

He said that we are killing the goose that lays the golden egg. I cannot understand why we are killing the goose in Erie but they are not killing the goose in Allegheny County.

Also, the gentleman was very much concerned about the magnitude of taxes placed on corporations in Pennsylvania, and I am quite willing to agree that the load carried by corporations in Pennsylvania is rather heavy in proportion to other states.

However, if the gentleman is so much interested in reducing the load for industry in Pennsylvania, why does he not introduce bills to reduce the CNI and CSF taxes in Pennsylvania?. Why does he propose to do for Erie what he does not propose to do for the state?

Mr. SEYLER. Mr. Speaker, this bill has all the earmarks of being the outcome of an argument between the city of Erie and certain other portions of the County of Erie. I would not presume to get into such an argument were it not for the fact that I have a conviction that this bill is far more extensive in its effects than that. It may have been intended merely to effect the city and county of Erie. But as a matter of fact I believe it has a very far reaching effect. I believe that its effects upon the school districts, the local communities of this Commonwealth are such that many of you, who may otherwise be inclined to support the position of the gentleman from Erie, who sponsored this bill, it might be well to think about carefully before you vote for it.

I believe furthermore that this is a basic change in the tax structure of the Commonwealth of Pennsylvania, and as such is just as important a question as we are likely to consider in this session of the Legislature.

Now after the debate on this question in the first instance, I had the opportunity to talk with a number of gentlemen on both sides of the House whose attention was aroused by some of the things I said and debated on that previous occasion.

I found that there were four questions raised. I would like to answer those four questions at this time.

The first question that was raised was this, is machinery used in a manufacturing plant real property or personal property? Then a corollary question to that, does it have to be fastened down to constitute real property or not?

I want to answer you this question because a lot of people honestly had doubt in this House at the last session whether it was proper to call machinery, particularly machinery that was not fastened down, real property.

I would like to say that this doctrine that it is real property is a very old one in Pennsylvania and is a fundamental part of our real estate tax system. The original decision goes back to 1841, when the Supreme Court considered the case of Voorhees vs. Freeman. The court at that time said this, and I wish you would listen because I think this clears up this question pretty well.

> "Whether fast or loose therefore, all machinery of a manufactory which is necessary to constitute it, and without which it would not be a manufactory at all, must pass for a part of the freehold."

That is the basic decision. The law that my friend from Erie referred to earlier, of 1833, was the original enactment on which this was based.

In 1844 it was amended and the thirty-second section of the Act of 1844 provides, and if you will follow this in your book you will notice that the language has not been changed much since 1844:

> "All real estate, to wit, houses, lots of ground, ground rent, mills and manufacturers of all kinds, furnaces, forges, bloomeries, distilleries, sugar-houses, malt-houses, breweries, vineyards, fisheries, ferries, wharves, and all other real estate not exempt by law from taxation shall be valued and assessed for all state and county purposes.

Now it is on that added part in the law of 1844 that the decisions of the court are based which make machinery taxable as real estate.

In the case of Patterson vs. Delaware County in 1872, which is only eighty-one years ago, the court held that under the act of 1844 machinery was properly taxed as real estate.

In that same decision Justice Butler, who wrote the decision, had this comment and this I think is a sweeping one. "The machinery in a mill," he said, "is as much a part of it as are the walls."

In Titus vs. Poland Coal Company the question was settled whether the machinery has to be fastened down. Just listen to this quotation from the decision, of the Supreme Court:

> The Pennsylvania rule is that a chattel placed in an industrial establishment for permanent use and necessary for the operation of the plant becomes a fixture and as such a part of the real estate, although not physically attached thereto.

In other words, if the article, whether fastened or loose, is indispensable in carrying on the specific business, it becomes a part of the realty.

Now, there are many later cases which could be cited, and I have them here and I am not going to bother you with them, but they are right here on my desk if anyone doubts the continuity of the court's decision that machinery fast or loose, that is part of a manufacturing plant, is properly assessable as real estate.

Now the second question is, is machinery taxed or taxable as real estate in Allegheny and Erie only, or in the other counties of the Commonwealth. If you will examine the Act which this bill amends, you will find that it applies to all counties, cities, boroughs, towns, townships and school districts. In doing a little research on the cases involved here that the court has settled, I found that it has settled cases saying that machinery is real estate in the following counties, Delaware County, Beaver County, Northumberland County, Luzerne County, Dauphin County, in addition to Allegheny and Erie. I did not read all of the speeches.

In other words this question has been raised and de-

cided by the courts for many of the counties of Pennsylvania, and not only the counties of Erie and Allegheny.

The third question. What effect would these bills have upon the assessment and the taxation of school districts and other subdivisions. Well, obviously a part of the school districts' taxing ability would be taken away.

We have heard many eloquent speeches for home rule in this House. We have many people in this House that are of the belief that the school districts insofar as possible should support the schools, and should not expect an increasing amount of aid from the state.

I would say to all the people who are of that mind, believe in home rule and who believe in the local district carrying the burden of taxation for the schools, I would say to those people, don't break away from the local school districts and the local communities, the right to tax something which has been considered as real estate since 1833.

The final question which was raised by the gentleman from Erie the last time we debated it, when he said that if you took away the right to tax machinery under this law as real estate, it could be taxed under 481. Machinery could not be taxed under 481, if it is a part of an industrial plant. Machinery is not personal property. It is real property. 481 does not give to any school district or any local subdivision of this Commonwealth the right to tax real estate. Therefore if you take this right away you take it away entirely. There is no other taxing power under the laws of this Commonwealth under which a local community or a school district could levy a tax on this item which has hitherto been a part of the local districts' income for the support of schools.

Therefore I ask you to consider this carefully, not as an argument between one part of Erie County and another part of Erie County. I wish you would regard this as a basic change in our tax structure in this Commonwealth, one which will necessitate in the future greater state aid for local communities and local school districts. Now if you want to vote for that, if you want to vote to cut down the taxing power of local districts, change our basic fundamental taxing system in Pennsylvania and expect that in the furtue the state will be called more and more to advance tax money to those local communities and to those school districts, if that is what you want, then vote for this with a clear conscience.

If you stand by the things that many of you have professed on other occasions, if you believe in home rule, and if you believe in letting the local tax situation such that a community can tax itself for the things it wants to do, then I say to you, do not consider this as just a local argument, but consider it as a basic fundamental tax argument, and vote on it accordingly—according to the way you have voted on other similar questions.

Mr. WATERHOUSE. Briefly, Mr. Speaker, the gentleman has me in tears. All I want to say is that I would be very glad to reduce CNI, but I doubt that my good friend from Erie could get me much support on his side of the House because we would have to replace it with something else, and it has not been the pattern so far to make it any easier.

Business has not kicked about CNI, industry has not. They are willing to pay their share but they feel that there should at some time be a limit to what can be done to them. This is merely a protective measure, and I think a good one. I hope now that we can have the vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. POLASKI, SEYLER and LOVETT.

The roll was verified and was as follows:

YEAS—107

Ashton,	Frost,	Leisey,	Shoemaker,
Auker,	Geer,	Light,	Shotwell,
Banker,	Gibson,	Lippincott,	Spencer,
Barkdoll,	Gleason,	Maguire,	Stevenson,
Baumunk,	Goodling,	Mahan,	Stimmel,
Bear,	Gramlich,	Markley,	Stoner,
Blair,	Greenwood,	McCullough,	Strausser,
Bolton,	Gutendorf,	McInroy,	Sucher,
Bomberger,	Guthrie,	Metz,	Thompson,
Bower,	Hall,	Mikula,	Tompkins,
Breisch,	Hamilton, W. H.,	Miller,	Toomey,
Brown,	Haudenshield,	Moody,	VanSant,
Buchanan,	Helm,	Moore,	Varner,
Bullen,	Hewitt,	Moscrip,	Vaughan,
Clapper,	Hocker,	Murray, P. G.,	Wall,
Connelly,	Johnson,	Naugle,	Waterhouse,
Conner,	Jones, Geo. E.,	Ogilvie,	Weidner,
Cooper,	Jones, T. H. W.,	Peifly,	Wescott,
Davis,	Jump,	Phillips,	Whalley,
Down,	Keller,	Price,	Willaredt,
DuBois,	Kent,	Quisenberry,	Wilt,
Dunn,	Kerlin,	Ragot,	Wood,
Erb,	Kline,	Reagan,	Yeakel,
Ewing,	Kohl,	Richter,	Young,
Ferster,	Kratz,	Royer,	Ziegler,
Flack,	Kromer,	Rubin,	Smith, O. O., Speaker
Fleischman,	Lafore,	Scott,	

NAYS—91

Adam,	Hersch,	Mihm,	Schuster,
Alexander,	Jenkins,	Mills,	Schwartz,
Amarando,	Jim,	Monroe,	Seyler,
Andrews,	Jones, Gran'le E.	Moran,	Smith, W. B.,
Bazin,	Jones, Paul F.,	Muldowney,	Snider,
Boory,	Kamyk,	Munley,	Stank,
Breth,	Kolankiewicz,	Murray, J. J.,	Stone,
Bucchin,	Kornick,	Musto,	Taylor,
Capano,	Kubacki,	Needham,	Thomas,
Cioffi,	Lederer,	Olsen,	Toll,
Comer,	Leonard,	Parlante,	Varallo,
Coyle,	Leven,	Peta,	Verona,
Curwood,	Limper,	Petrosky,	Wallace,
Dougherty,	Lopresti,	Pfaff,	Walsh
Downey,	Lovett,	Polaski,	Wargo,
Farabaugh,	Lutty,	Polen,	Welsh,
Fenrich,	Mathews,	Poltenstein,	Wheeler,
Filo,	Maxwell,	Readinger,	White,
Flynn,	McCann,	Reidenbach,	Whitenight,
Glick,	McCormack,	Rosen,	Williams,
Guss,	McDermit,	Rovansek,	Yetzer,
Hamilton, R. K.,	McGee,	Sarraf,	Zeltz,
Harris,	McWherter,	Schmidt,	

NOT VOTING—9

Boles,	Floyd,	Ide,	Watkins,
Cianfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 574, as follows:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assesors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assesors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" is hereby amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county borough town township school (except in cities) poor and county institution district purposes at the annual rate

(a) All real estate to wit Houses buildings lots of ground and ground rents mills and manufactories of all kinds and all other real estate not exempt by law from taxation Machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not be considered or included as a part of the real estate in determining the value of such mill mine manufactory or industrial establishment

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations and all persons over the age of twenty-one years who do not follow any occupation or calling as well as unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as citizens of this Commonwealth

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes Section 2 The provisions of this act shall become effective the thirtieth day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Ashton,	**Frost,**	Leisey,	Shoemaker,
Auker,	Geer,	Light,	**Shotwell,**
Banker,	Gibson,	Lippincott,	**Spencer,**
Barkdoll,	Gleason,	Mahan,	**Stevenson,**
Baumunk,	Goodling,	Markley,	Stimmel,
Bear,	Gramlich,	Mathews,	Stoner,
Blair,	**Greenwood,**	McCullough,	Strausser,
Bolton,	Gutendorf,	McInroy,	Sucher,
Bomberger,	Guthrie,	Metz,	Thompson,
Bower,	Hall,	Mikula,	Tompkins,
Breisch,	**Hamilton, W. H.,**	Miller,	**Toomey,**
Brown,	Haudenshield,	Moody,	VanSant,
Buchanan,	Helm,	Moore,	Varner,
Bullen,	Hewitt,	Moscrip,	Vaughan,
Clapper,	**Hocker,**	**Murray, P. G.,**	**Wall,**
Connelly,	Johnson,	Naugle,	**Waterhouse,**
Conner,	Jones, Geo. E.,	**Ogilvie,**	**Weidner,**
Cooper,	**Jones, T. H. W.,**	Peifly,	Wescott,
Davis,	Jump,	Phillips,	**Whalley,**
Down,	Keller,	**Price,**	**Willaredt,**
DuBois,	Kent,	**Quisenberry,**	**Wilt,**
Dunn,	Kerlin,	Ragot,	Wood,
Erb,	Kline,	Reagan,	**Yeakel,**
Ewing,	Kohl,	Richter,	Young,
Ferster,	Kratz,	Royer,	Ziegler,
Flack,	Kromer,	**Rubin,**	**Smith, C. C.,**
Fleischman,	Lafore,	**Scott,**	Speaker

NAYS—91

Adam,	Hersch,	Mihm,	Schuster,
Alexander,	Jenkins,	Mills,	Schwartz,
Amarando,	Jim,	Monroe,	Seyler,
Andrews,	**Jones, Gran'le E.**	Moran,	**Smith, W. B.,**
Bazin,	**Jones, Paul F.,**	Muldowney,	**Snider,**
Boory,	Kamyk,	Munley,	**Stank,**
Breth,	Kolankiewicz,	**Murray, J. J.,**	**Stone,**
Bucchin,	**Kornick,**	**Musto,**	**Taylor,**
Capano,	Kubacki,	**Needham,**	**Thomas,**
Cioffi,	Lederer,	Olsen,	**Toll,**
Comer,	Leonard,	Parlante,	**Varallo,**
Coyle,	Leven,	Peta,	**Verona,**
Curwood,	Limper,	Petrosky,	**Wallace,**
Dougherty,	**Lopresti,**	**Pfaff,**	**Walsh**
Downey,	**Lovett,**	Polaski,	Wargo,
Farabaugh,	**Lutty,**	Polen,	**Welsh,**
Fenrich,	Maguire,	**Poltenstein,**	**Wheeler,**
Filo,	Maxwell,	Readinger,	White,
Flynn,	McCann,	Reidenbach,	Whitenight,
Glick,	McCormack,	**Rosen,**	**Williams,**
Guss,	McDermit,	**Rovansek,**	**Yetzer,**
Hamilton, R. K.,	McGee,	**Sarraf,**	**Zeitz,**
Harris,	McWherter,	Schmidt,	Acting

NOT VOTING—9

Boles,	**Floyd,**	**Ide,**	**Watkins,**
Cianfrani,	**Hoggard,**	Pettigrew,	**Worley,**
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILLS MADE SPECIAL ORDER

Mr. JOHNSON. Mr. Speaker, I move that the following bills be made a special order of business at this time:

House Bill 811 Printer's No. 94
House Bill 812 Printer's No. 95
House Bill 813 Printer's No. 96
House Bill 816 Printer's No. 99
House Bill 909 Printer's No. 169 and
House Bill 908 Printer's No. 168

The motion was agreed to.

SPECIAL ORDER ON HOUSE BILL 811

The SPEAKER. The Chair lays before the House the special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 811, as follows:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1746) are hereby reenacted and further amended to read as follows

An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attained to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose

numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of busness maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or fom the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the state the gross receipts under such contract shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be negotiable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of due fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal

year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum pen annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hunded forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hunded forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred [and] fifty three [.] and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provision of existing laws

Section 4 Reports and Payments of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred [and] fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six to transmit to the department upon a form prescribed prepared and furnished by the department an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(3) Such other information as the department may require

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calen-

dar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for settlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department

of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records of Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred [forty] fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred [and] fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred [and] fifty-four one thousand nine hundred nine hundred fifty-five and one thousand nine hunred fifty-six

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, in order to save time of the House on the reenactment of the present taxes which are really the heart of the income that we are now receiving in Pennsylvania, we are going to ask the House to vote first on four bills, 811 and 812. They are the corporate net income tax of 5 percent and one is the loop-hole plugging bill, the former Kent Bill from last session. The next bill is the regular corporate net. House Bill 813, I be'ieve, is the manufacturers' exemption, and 816 is a continuation of the temporary tax on the gross receipts of electric light companies and transmission companies.

I might say that I this morning explained these bills and I hope that the Members, on the side of their calendars, indicated the estimated yield from these various taxes.

On the question recurring.

Shall the bill pass fina'ly?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCullough,	Seyler,
Banker,	Greenwood,	McDermit,	Shoemaker,
Barkdoll,	Guss,	McInroy,	Shotwell,
Baumunk,	Gutendorf,	McWherter,	Smith, W. B.,
Bear,	Guthrie,	Metz,	Snider,
Blair,	Hall,	Mihm,	Spencer,
Bolton,	Hamilton, R. K.,	Mikula,	Stank,
Bomberger,	Hamilton, W. H.,	Miller,	Stevenson,
Bower,	Haudenshield,	Mills,	Stimmel,
Breisch,	Helm,	Moody,	Stone,
Breth,	Hewitt,	Moore,	Stoner,
Brown,	Hocker,	Moran,	Strausser,
Buchanan,	Jenkins,	Moscrip,	Sucher,
Bullen,	Johnson,	Muldowney,	Taylor,
Capano,	Jones, Geo. E.,	Munley,	Thomas,
Cioffi,	Jones, Paul F.,	Murray, J. J.,	Thompson,
Clapper,	Jones, T. H. W.,	Murray, P. G.,	Tompkins,
Connelly,	Jump,	Musto,	Toomey,
Cooper,	Kamyk,	Naugle,	VanSant,
Curwood,	Keller,	Needham,	Varner,
Davis,	Kent,	Ogilvie,	Vaughan,
Dougherty,	Kerlin,	Olsen,	Verona,
Down,	Kline,	Peifly,	Wall,
Downey,	Kohl,	Pfaff,	Wallace,
DuBois	Kornick,	Phillips,	Wargo,
Dunn,	Kratz,	Polaski,	Waterhouse,
Erb,	Kromer,	Polen,	Weidner,
Ewing,	Kubacki,	Price,	Wescott,
Farabaugh,	Lafore,	Quisenberry,	Whalley,
Fenrich,	Leisey,	Ragot,	Wheeler,
Ferster,	Leonard,	Readinger,	Whitenight,
Filo,	Light,	Reagan,	Willaredt,
Flack,	Lippincott,	Reidenbach,	Williams,
Fleischman,	Lopresti,	Richter,	Wilt,
Flynn,	Lovett,	Rovansek,	Wood,
Frost,	Lutty,	Royer,	Yeakel,
Geer,	Mahan,	Rubin,	Yetzer,
Gibson	Markley,	Sarraf,	Young,
Gleason,	Mathews,	Schmidt,	Ziegler,
Glick,	Maxwell,	Schuster,	Smith, C. O., Speaker

NAYS—34

Adam,	Coyle,	McGee,	Rosen,
Alexander,	Harris,	Maguire,	Schwartz,
Amarando,	Hersch,	McCormack,	Toll,
Auker,	Jim,	Monroe,	Varallo,
Bazin,	Jones, Gran'le E.,	Parlante,	Walsh,
Boory,	Kolankiewicz,	Peta,	Welsh,
Bucchin,	Lederer,	Petrosky,	White,
Comer,	Leven,	Poltenstein,	Zeitz,
Conner,	Limper,		

NOT VOTING 9

Boies,	Floyd,	Ide,	Watkins,
Cianfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. AUKER filed the following reason for his vote on House Bill 811:

I voted "no" on House Bill 811, Printer's No. 94, because the bill contains and carries provisions for borrowing on the corporate net income tax revenue of the 1955-57 biennium. It is deficit financing of the poorest kind. It is bad business, bad financing and bad government.

SPECIAL ORDER ON HOUSE BILL 812

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 812 as follows:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P L 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and County officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1763) are hereby reenacted and amended to read as follows

An Act

To provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-tock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 Net Income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross recipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or affected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and roya ties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or affected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignab e to Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable vear In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State except that if the activiies under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because al the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonweath or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred [and] fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred [and] fifty-three and ending in the calendar years one thousand nine hundred fifty-two one thousand nine hundred fifty-thre and one thousand nine hundred [and] fifty-four [:] and a similar tax at the rate of five per centum per annum upon each dollar of such net income received by and accuring to such corporation during the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum per annum shall be levied collected and paid upon each dollar of such net income received by and accuring to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five and ending in the calendar years one thousand nine hundred fifty-five and one thousand nine hundred fifty-six Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six to transmit to the department upon a form prescribed prepared and furnished by the department an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate

(2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(3) Such other information as the department may require

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five it shall be the duty of every corporation liable to pay tax under this act on or before the thirteenth day of April one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calender or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accuring in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has

been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporations shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of the corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extention of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extention of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the amount according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceedings as though it had been filed with such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such setlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of the year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlment upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regula-

tions promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforacement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, May I interrogate the Majority Floor Leader for just a second?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask for information. Which one of these tax bills carries with it the accrual of the corporate net income tax, that is, carries the provisions wherein we will again be borrowing six months corporate net income tax from the 1955-1957 biennium?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman's question, the effect of House Bills 811 and 812 is to make corporations during the next two years pay 24 months of corporate net income tax. Had we given up the acceleration feature that amendment would have been in the bill, as I understand it, which would have said, the corporations will only have to pay on the basis of 18 months, and we will forgive the $60 million that they were paying in advance. But the net effect of the bill is to tax corporations for 24 months, That is true of 811 and it is true of 812.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Banker,	Guss,	McInroy,	Shotwell,
Barkdoll,	Gutendorf,	McWherter,	Smith, W. B.,
Baumunk,	Guthrie,	Metz,	Snider,
Bear,	Hall,	Mihm,	Spencer,
Blair,	Hamilton, R. K.,	Mikula,	Stank,
Bolton,	Hamilton, W. H.,	Miller,	Stevenson,
Bomberger,	Haudenshield,	Mills,	Stimmel,
Bower,	Helm,	Moody,	Stone,
Breisch,	Hewitt,	Moore,	Stoner,
Breth,	Hocker,	Moran,	Strausser,
Brown,	Jenkins,	Moscrip,	Sucher,
Buchanan,	Jim,	Muldowney,	Taylor,
Bullen,	Johnson,	Munley,	Thomas,
Capano,	Jones, Geo E.,	Murray, J. J.,	Thompson,
Cioffi,	Jones, Paul F.,	Murray, P. G.,	Tompkins,
Clapper,	Jones, T. H. W.,	Musto,	Toomey,
Connelly,	Jump,	Naugle,	VanSant,
Cooper,	Kamyk,	Needham,	Varner,
Curwood,	Keller,	Ogilvie,	Vaughan,
Davis,	Kent,	Olsen,	Verona,
Dougherty,	Kerlin,	Peifly,	Wall,
Down,	Kline,	Pfaff,	Wallace,
Downey,	Kohl,	Phillips,	Wargo,
DuBois,	Kornick,	Polaski,	Waterhouse,
Dunn,	Kratz,	Polen,	Weidner,
Erb,	Kromer,	Price,	Wescott,
Ewing,	Kubacki,	Quisenberry,	Whalley,
Farabaugh,	Lafore,	Ragot,	Wheeler,
Fenrich,	Leisey,	Readinger,	Whitenight,
Ferster,	Leonard,	Reagan,	Willaredt,

Filo,	Light,	Reidenbach,	Williams.
Flack,	Lippincott,	Richter,	Wilt,
Fleischman,	Lopresti,	Rovansek,	Wood,
Flynn,	Lovett,	Royer,	Yeakel,
Frost,	Lutty,	Rubin,	Yetzer,
Geer,	Mahan,	Sarraf,	Young,
Gibson,	Markley,	Schmidt,	Ziegler,
Gleason,	Mathews,	Schuster,	Smith, C. C.,
Glick,	Maxwell,	Scott,	Speaker
Goodling,	McCann,		

NAYS—33

Adam,	Conner,	Limper,	Poltenstein,
Alexander,	Coyle,	Maguire,	Rosen,
Amarando,	Harris,	McCormack,	Schwartz,
Auker,	Hersch,	McGee,	Toll,
Bazin,	Jones, Gran'le E.	Monroe,	Varallo,
Boory,	Kolankiewicz,	Parlante,	Walsh
Bucchin,	Lederer,	Peta,	Welsh,
Comer,	Leven,	Petrosky,	White,
			Zeitz,

NOT VOTING—9

Boles,	Floyd,	Ide,	Worley,
Clanfrani,	Hoggard,	Pettigrew,	Watkins,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. AUKER filed the following reason for his vote on House Bill 812.

I voted "no" on House Bill 812, Printer's No. 95, because the bill contains and carries provisions for borrowing on the corporate net income tax revenue of the 1955-57 biennium. It is deficit financing of the poorest kind. It is bad business, bad financing and bad government.

SPECIAL ORDER ON HOUSE BILL 813

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 813 as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 462) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class non-profit corporations and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors Provided further That after said [six] eight year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by mulitplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on with the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant

to manufactring in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayers for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or affected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or affected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or affected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total cost incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors without excluding from the numerators of the applicable fractions tangible property actually and exclusively used in manufacturing compensation of employes exclusively engaged in manufacturing and gross receipts from business strictly incident or appurtenant to manufacturing

After said [six] eight year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 The provisions of this act shall be retroactive to the first day of January one thousand nine hundred fifty-three so that domestic and foreign corporations limited partnerships and joint-stock associations organized for manufacturing purposes shall pay the tax imposed for the calendar years one thousand nine hundred fifty-three and one thousand nine hundred fifty-four or for the fiscal years beginning in the calendar years one thousand nine hundred fifty-three and one thousand nine hundred fifty-four as other domestic and foreign corporations limited partnerships and joint-stock associations

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Glick,	Maxwell,	Scott,
Ashton,	Goodling,	McCann,	Seyler,
Auker,	Gramlich,	McCullough,	Shoemaker,
Banker,	Greenwood,	McDermit,	Shotwell,
Barkdoll,	Guss,	McInroy,	Smith, W. B.,
Baumunk,	Gutendorf,	McWherter,	Snider,
Bear,	Guthrie,	Metz,	Spencer,
Blair,	Hall,	Mihm,	Stank,
Bolton,	Hamilton, R. K.,	Mikula,	Stevenson,
Bomberger,	Hamilton, W. H.,	Miller,	Stimmel,
Bower,	Haudenshield,	Mills,	Stone,
Breisch,	Helm,	Moody,	Stoner,
Breth,	Hewitt,	Moore,	Strausser,
Brown,	Hocker,	Moran,	Sucher,
Buchanan,	Jenkins,	Moscrip,	Taylor,
Bullen,	Jim,	Muldowney,	Thomas,
Capano,	Johnson,	Munley,	Thompson,
Cioffi,	Jones, Geo. E.,	Murray, J. J.,	Tompkins,
Clapper,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Connelly,	Jones, T. H. W.,	Musto,	VanSant,
Cooper,	Jump,	Naugle,	Varner,
Curwood,	Kamyk,	Needham,	Vaughan,
Davis,	Keller,	Ogilvie,	Verona,
Dougherty,	Kent,	Olsen,	Wall,
Down,	Kerlin,	Peifly,	Wallace,
Downey,	Kline,	Pfaff,	Wargo,
DuBois,	Kohl,	Phillips,	Waterhouse,
Dunn,	Kornick,	Polaski,	Weidner,
Erb,	Kratz,	Polen,	Wescott,
Ewing,	Kromer,	Price,	Whalley,
Farabaugh,	Kubacki,	Quisenberry,	Wheeler,
Fenrich,	Lafore,	Ragot,	Whitenight,
Ferster,	Leisey,	Readinger,	Willaredt,
Filo,	Leonard,	Reagan,	Williams,
Flack,	Light,	Reidenbach,	Wilt,
Fleischman,	Lippincott,	Richter,	Wood,
Flynn,	Lopresti,	Rovansek,	Yeakel,
Frost,	Lovett,	Royer,	Yetzer,
Geer,	Lutty,	Rubin,	Young,
Gibson,	Mahan,	Sarraf,	Ziegler,
Gleason,	Markley,	Schmidt,	Smith, O. C., Speaker
	Mathews,	Schuster,	

NAYS—32

Adam,	Coyle,	Maguire,	Rosen,
Alexander,	Harris,	McCormack,	Schwartz,
Amarando,	Hersch,	McGee,	Toll,
Bazin,	Jones, Granle E.	Monroe,	Varallo,
Boory,	Kolankiewicz,	Parlante,	Walsh
Bucchin,	Lederer,	Peta,	Welsh,
Comer,	Leven,	Petrosky,	White,
Conner,	Limper,	Poltenstein,	Zeltz,

NOT VOTING—9

Boles,	Floyd,	Ide,	Watkins,
Cianfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER ON HOUSE BILL 816

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 816, as follows:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 468) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxi-cabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hdyro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' periods ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine hundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one June thirtieth and December thirty-first one thousand nine hundred forty-two June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' periods ending June thirtieth and December thirty-first one thousand nine hundred forty-four and for the twelve months' periods ending December thirty-first one thousand nine hundred forty-five December thirty-first one thousand nine hundred forty-six December thirty-first one thousand nine hundred forty-seven December thirty-first one thousand nine hundred forty-eight December thirty-first one thousand nine hundred forty-nine December thirty-first one thousand nine hundred fifty December thirty-first one thousand nine hundred fifty-one [and] December thirty-first

one thousand nine hundred fifty-two December thirty-first one thousand nine hundred fifty-three and December thirty-first one thousand nine hundred fifty-four and eight mills thereafter upon [the] each dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from the sales of electric energy except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first day of February of each year a statement and under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of twelve months immediately preceding the first day of January of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnersip association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipality owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 The provisions of this act shall become effective immediately upon the final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Goodling,	Maxwell,	Scott,
Ashton,	Gramlich,	McCann,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McInroy,	Smith, W. B.,
Baumunk,	Guthrie,	McWherter,	Snider,
Bear,	Hall,	Metz,	Spencer,
Blair,	Hamilton, R. K.,	Mihm,	Stank,
Bolton,	Hamilton, W. H.,	Mikula,	Stevenson,
Bomberger,	Haudenshield,	Miller,	Stimmel,
Bower,	Helm,	Mills,	Stone,
Breisch,	Hewitt,	Moody,	Stoner,
Breth,	Hocker,	Moore,	Strausser,
Brown,	Jenkins,	Moran,	Sucher,
Buchanan,	Jim,	Moscrip,	Taylor,
Bullen,	Johnson,	Muldowney,	Thomas,
Capano,	Jones, Geo. E.,	Munley,	Thompson,
Cioffi,	Jones, Paul F.,	Murray, J. J.,	Tompkins,
Clapper,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Connelly,	Jump,	Musto,	VanSant,
Cooper,	Kamyk,	Naugle,	Varner,
Curwood,	Keller,	Needham,	Vaughan,
Davis,	Kent,	Ogilvie,	Verona,
Dougherty,	Kerlin,	Olsen,	Wall,
Down,	Kline,	Peifly,	Wallace,
Downey,	Kohl,	Pfaff,	Wargo,
DuBois,	Kornick,	Phillips,	Waterhouse,
Dunn,	Kratz,	Polaski,	Weidner,
Erb,	Kromer,	Polen,	Wescott,
Ewing,	Kubacki,	Price,	Whalley,
Farabaugh,	Lafore,	Quisenberry,	Wheeler,
Fenrich,	Leisey,	Ragot,	Whitenight,
Ferster,	Leonard,	Readinger,	Willaredt,
Filo,	Light,	Reagan,	Williams,
Flack,	Lippincott,	Reidenbach,	Wilt,
Fleischman,	Lopresti,	Richter,	Wood,
Flynn,	Lovett,	Rovansek,	Yeakel,
Frost,	Lutty,	Royer,	Yetzer,
Geer,	Mahan,	Rubin,	Young,
Gibson,	Markley,	Sarraf,	Ziegler,
Gleason,	Mathews,	Schmidt,	Smith, C. C.,
Glick,		Schuster,	Speaker

NAYS—32

Adam,	Coyle,	Maguire,	Rosen,
Alexander,	Harris,	McCormack,	Schwartz,
Amarando,	Hersch,	McGee,	Toll,
Bazin,	Jones, Gran'le E.	Monroe,	Varallo,
Boory,	Kolankiewicz,	Parlante,	Walsh
Bucchin,	Lederer,	Peta,	Welsh,
Comer,	Leven,	Petrosky,	White,
Conner.	Limper,	Poltenstein,	Zeitz,

NOT VOTING—9

Boles,	Floyd,	Ide,	Watkins,
Cianfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER ON HOUSE BILL 909

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 909 as follows:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

Article I

Short Title and Definitions

Section 101 Short Title This act shall be known and may be cited as the "Consumers Sales Tax Act"

Section 102 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Business" Any and all activities engaged in or caused to be engaged in with the object of gain or economic benefit direct or indirect

(2) "Department" The Department of Revenue of this Commonwealth

(3) "Sale Price" The amount received in money credits or intangible property from sales at retail without deduction on account of the cost of property sold amounts paid for interest discounts losses or any other expenses or burdens whatsoever in computing sale price there may be deducted any credit actually given or refund actually paid for goods returned and any credit actually given or allowance actually made for any tangible personal property actually taken in trade or exchange for the whole or any part of the sale price of the property sold

(4) "Person" Any natural person firm partnership association corporation fiduciary or other entity carrying on business Whenever used in any provision of this act which prescribes or imposes a fine or imprisonment or both the term "person" as applied to a firm partnership or association shall include the members thereof and as applied to a corporation the officers thereof A firm partnership association or a corporation may be subjected as an entity however to the payment of a fine

(5) "Purchaser" Any person who purchases tangible personal property in any transaction taxable under this act

(6) "Seller" Any person engaged in the business of selling tangible personal property at retail and it shall be immaterial whether the goods sold are or are not manufactured or produced by the seller

(7) "Sale at Retail" Any transaction by which the ownership of tangible personal property is transferred for a consideration when such transfer is made in the ordinary course of the transferor's business and is made to the transferee for consumption or use The term "sale at retail" includes any rental bailment lease conditional sale and any other transaction under whatever name or form whereby title being retained for security is ultimately to pass to the purchaser or whereby possession is transferred in lieu of a transfer of title

The term "sale at retail" does not include

(a) Sales for the purpose of resale of tangible personal property in its original form

(b) Any isolated sale of tangible personal property by one not a seller

(c) Any isolated sale of tangible personal property by one who though a seller is not such a seller with respect to the article sold but all sales by a seller shall be presumed to be sales at retail

(d) Sales of intoxicating liquors including malt and brewed beverages

(e) Sales of cigarettes

(f) Sales of gasoline and other motor fuels

(g) Sales of utility services the gross receipts from which are taxed by the Commonwealth

(h) Sales to the Commonwealth or any of its agencies or political subdivisions or to authorities created by or pursuant to law

(i) Sales to the United States or any of its agencies

(j) Sales in interstate and foreign commerce but only in the instances and to the extent that the Commonwealth is prohibited from taxing such sales by the Constitution of the United States

(k) Sales of newspapers magazines and other periodicals

(l) Sales of medicine on prescription sales of crutches wheelchairs for the use of cripples and invalids and when designed to be worn on the person of the purchaser or user artificial limbs artificial eyes and artificial hearing devices sales of false teeth by a dentist and the materials used by a dentist in dental treatment sales of eyeglasses when especially designed or prescribed by an opthalmologist oculist or optometrist for the personal use of the owner or purchaser and sales of artificial braces and supports designed solely for the use of crippled persons

(m) Sales of bakery products milk groceries and meat as food products for human consumption except when sold by hotels restaurants or any like dispensers of food products For the purposes of this clause (i) "milk" shall mean raw milk products from domestic animals or such milk when processed or canned (ii) "groceries" shall mean all food products and all food ingredients for human consumption or for use in the preparation thereof for human consumption ordinarily sold in grocery stores except candies confections soft drinks tobacco or tobacco products (iii) "meat" shall include the flesh of animals fish sea food poultry and game

(n) Sales of Tangible Personal Property (i) which is to be used in fabricating compounding or manufacturing tangible personal property or in producing public utility service to be sold ultimately at retail or (ii) which is to be used in the process of farming agriculture or horticulture and which in either event becomes an ingredient or component part of the fabricated compounded or manufactured tangible personal property or public utility product or of the product of farming agriculture or horticulture or is consumed in the process of fabrication compounding manufacturing or producing or in the process of farming agriculture or horticulture or (iii) which is to be used in the production or delivery of public utility service

(o) The performance of personal service

(p) Sales of tangible personal property intended for incorporation and incorporated into a building road street bridge or other structure provided such property is so incorporated pursuant to a contract entered into prior to the effective date of this act and provided further that the person so incorporating such property submit to the department proof of the facts in such form as the department may require

(8) "Tanigble personal property" Corporeal personal property including but not restricted to goods wares and merchandise The term "tangible personal property" does not include money deposits in banks shares of stock bonds notes credits or evidence of an interest in property or evidence of debt

(9) "Tax" Any tax interest or penalty imposed or levied under the provisions of this act

(10) "Taxpayer" Any retail dealer or any person making sales taxable under this act

(11) "Ultimate consumer" As referring to any tangible personal property any person who uses or consumes such tangible personal property

(12) "Wholesale dealer" Any person engaged in the business of selling tangible personal property to retail dealers for resale only and not for personal use or consumption

Article II

Imposition and Collection of Tax

Section 201 Imposition A tax is hereby imposed upon each separate sale at retail within this Commonwealth which tax shall be collected by the seller from the purchaser and shall be paid over to the Commonwealth as herein provided

Section 202 Amount of tax (a) The rate of tax shall be one per centum (1%) of the sale price of each separate sale at retail

(b) The tax shall be computed as follows

(1) Where the consideration is ten cents or less no tax shall be collected

(2) On each sale where the consideration is from eleven cents to one dollar both inclusive the tax shall be one cent

(3) On each sale where the consideration is in excess of one dollar the tax shall be one cent on each additional dollar or fraction thereof

Section 203 Purchaser to Pay Accounting by Sellers The seller shall in each case demand the tax from the purchaser and the purchaser shall pay the same to the seller The seller shall keep the amount of all of the taxes so paid to him by all purchasers in a fund separate and apart from the proceeds of the sales and from all his other funds unless the department otherwise directs If the department shall authorize any seller to commingle the proceeds of the tax with the proceeds of sale the claim of the Commonwealth for the tax shall be enforceable against and shall take precedence over all other claims against the commingled fund Each seller shall as hereinafter provided account to the Commonwealth for the entire amount of all taxes collected from purchasers

Section 204 Total Amount Collected to be Remitted No profit other than the compensation provided for in section two hundred thirteen shall accrue to a seller or other person from the collection of any tax imposed by this act Any person collecting any such tax shall return and remit the total amount thereof to the department as hereinafter provided If the total amount of taxes so collected in any period shall be in excess of one per centum (1%) of the sale price of the sales by the person collecting such taxes during such period such person shall nevertheless remit to the department the total amount of taxes collected without deducting the amount by which the taxes collected exceed one per centum (1%) of the sale price of his sales during such period and without making any other deduction other than the compensation allowed by section two hundred thirteen of this act

Section 205 Sales Presumed to be at Retail Every sale of tangible personal property shall be presumed to be at retail and to be taxable The seller may require any purchaser claiming that a sale is not taxable to give him a written statement signed by the purchaser and giving his address certifying that the tangible personal property the subject of the sale is purchased for a purpose not included in the definition of "Sale at Retail" Such a certificate shall in the absence of actual fraud on the part of the seller justify him in failing to collect the tax If he fails to collect a tax on any sale where he does not obtain such a written statement from the purchaser the seller shall be liable for the tax as hereinafter provided unless he shall sustain the burden of proving that the sale was not at retail

Section 206 Tax to be Paid by Ultimate Consumer It is hereby stated as the legislative intent that the tax imposed hereby shall be paid by the ultimate consumer The amount of the tax shall be added to the sale price and shall constitute a part of that price (through a separate item as hereinbefore provided) and shall be collectible as such

Section 207 Seller Shall Not Pay Tax Penalty (a) No person engaged in a business as a retail dealer shall advertise or represent to the public in any manner directly or indirectly that he will absorb said tax or any part thereof or that the full tax on each sale will not be considered an element of the price and be added to the price otherwise ascertained Nor shall any such person knowingly absorb the tax on any sale nor fail to add the full amount of the tax to the sale price otherwise ascertained and collect said tax as part of the sale price

(b) Any person who violates any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both at the discretion of the court

Section 208 Agreements and Regulations as to Methods of Adding the Tax (a) To provide uniform methods of adding the average equivalent of the tax imposed by this act to the sale price in each sale subject to the tax appropriate rules and regulations may be adopted subject to the approval of the department by competing taxpayers or associations of taxpayers Such rules and regulations shall provide that the tax shall in each instance be computed and collected on the basis of the total transaction without regard to the value or price of the separate items making up the total amount of a single sales transaction Such rules and regulations shall not if complying with the foregoing provisions and not involving price-fixing be deemed illegal as in restraint of trade or commerce or otherwise The department may cooperate in formulating such rules and regulations and shall approve any such rules and regulations which it finds to be in compliance with this act

(b) In the event apropriate rules and regulations governing any class of business are not submitted to the department for approval within such time as the department prescribes which shall be not earlier than thirty days after the effective date of this act the department shall as soon as reasonably possible formulate and promulgate rules and regulations to effectuate the purpose of this section

Section 209 Collection of Tax on Credit Sales If any sale subject to tax hereunder is wholly or partly on credit the taxpayer shall require the purchaser to pay in cash at the time the sale is made or within thitry days thereafter the full tax due on the basis of the entire sale price

Section 210 Records of Sales Any person engaged in business as a retail dealer who is at the same time engaged in another business or businesses which does not involve the making of sales taxable under this act shall keep separate books or records of his business as a seller so as to show the sales taxable under this act separately from his transactions not taxable hereunder If any such person fails to keep such separate books or records he shall be liable to tax at the rate designated in section two hundred two hereof upon the entire sale price of both or all of his businesses

Section 211 Sales between Affiliated Interests etc In determining sale prce of taxable sales where because of affiliation of interests between the seller and buyer or for any other reason the sale price from a sale are not indicative of the true value of the article sold or the fair price thereof the department shall prescribe uniform and equitable rules for determining the amount of constructive sales prices upon the basis of which the tax shall be levied Such rules shall provide for a constructive amount of a sales price for each such sale which shall equal a price for such article which would naturally and fairly be charged in an arms-length transaction in which the element of common interests between buyer and seller or any other element causing a distortion of the price is absent

Section 212 Compensation to Seller for Collection and Return For the purpose of compensating sellers for the keeping of prescribed records and the proper accounting and remitting of taxes by them such sellers shall be allowed a commission of three per centum (3%) of the amount of the tax due and accounted for and remitted to the department which commission shall be allowed in the form of a deduction in submitting the report of such seller and the payment of the amount due by him Such compensation commission or allowance shall not be granted nor shall any deduction be permitted with respect to any taxes not paid on or before the due date thereof or where there is a manifest failure to maintain proper records or make proper prescribed reports

Article III

Returns and Payment

Section 301 Monthly Returns and Payment (a) The taxes imposed by this act shall be due and payable in monthly instalments on or before the twentieth day of the calendar month succeeding the month during which the sales at retail subject to the tax were made

(b) Each taxpayer shall each month make out and sign a return for the preceding calendar month Such return shall be mailed to the department in time so that it will reach the department in the ordinary course of the mails on or before the twentieth day of the month succeeding the month with respect to which the return is made

(c) The return shall be on a form prescribed by the department The department shall distribute return forms to taxpayers but no taxpayer shall be excused from liability

for failure to file a return or pay the tax because he has failed to receive a form

Each such return shall show

(1) The total gross proceeds of the business of the taxpaper for the month with respect to which the return is filed

(2) The amount of sales at retail of such business with respect to which the tax is computed

(3) The amount of tax due

(4) Such other information with respect to the business the amount of sales at retail or related matters as the department may reasonably require

Any such return may be signed by a duly authorized agent of the taxpayer with the same effect as if signed by the taxpayer himself

Any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to

(d) A remittance for the amount of the tax shall accompany each monthly return

Section 302 Other Times for Returns and Payment The department may upon written request authorize a taxpayer whose books and records are not kept on a calendar month basis to file returns at other times than those specified in the preceding section and in lieu of such returns In no event shall the taxpayer be permitted to make less than one return during a calendar month except as provided in section three hundred three Except as to the time of filing and the period covered all the provisions as to monthly returns required by section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Section 303 Quarterly Returns When the total tax for which any taxpayer is liable does not exceed ten dollars ($10) per month he may in lieu of monthly returns make quarterly returns Each such quarterly return shall be filed with the department by mailing in time so as to reach the department in the ordinary course of the mails on or before the twentieth day of the first month succeeding the end of the quarter with respect to which the return is filed Except as to the time of filing and the period covered all the provisions as to monthly returns prescribed in section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Section 304 Annual Returns (a) On or before the thirty-first day of January in each year every taxpayer shall file with the department in the manner heretofore specified for monthly or quarterly returns an annual return covering the entire preceding calendar year or such part thereof as the taxpayer was engaged in a business as a retail dealer Such return shall be in addition to and not in lieu of returns required to be filed under the provisions of sections three hundred one three hundred two or three hundred three

(b) Each such annual return shall include all items required for monthly returns in section three hundred one thereof for the entire calendar year with respect to which it is made and shall be signed by the taxpayer or his authorized agent any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to

(c) If the amount of tax due for the preceding year as shown by the annual return of any taxpayer is greater than the amount already paid by him in connection with his monthly quarterly or other returns he shall send with such annual return a remittance for the unpaid amount of tax for the year

Section 305 Extension of Time for Making Returns The department may on written application and for good cause shown extend the time for making any return required or permitted by any of the preceding sections of this article Provided however That the time for making any return other than an annual return shall not be extended more than one month and the time for making an annual return shall not be extended more than three months

Article IV

Procedure

Section 401 Department of Revenue to Administer The Department of Revenue shall administer and enforce this act and collect the tax hereby imposed

Section 402 Examination of Returns Assessment of Tax Credits (a) As soon as practicable after any return is filed the department shall examine it and if the return shows a greater tax due than the amount of the remittance sent with such return the department shall forthwith assess the difference Such difference shall be paid to the department within ten days after notice of its assessment If so paid there shall be no interest or penalty if not so paid there shall be added to such amount five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment No taxpayer shall have any right of appeal from such an assessment

(b) If the department determines that any return or returns of any taxpayer understates the amount of tax due the department shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" Such deficiency shall be paid to the department within ten days after a notice of the assessment thereof shall be mailed to the taxpayer by the department In such case if such understatement of the tax in the return or returns was made in good faith there shall be no interest or penalty because of such understatement Provided That the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the assessment of such deficiency be mailed to the taxpayer If such payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one-half of one per centum per month or fraction thereof from the date of such notice to the date of payment If any understatement in any of such returns is false or fraudulent with intent to evade the tax the deficiency resulting from such understatement shall be doubled and in addition thereto an additional one-half of one per centum of such double ddeficiency shall be added for each such month or fraction of a month from the date the tax was originally due to the date of payment

(c) If the amount of the tax as assessed by the department shall be less than the amount already paid by the taxpayer the department shall so notify the taxpayer and the amount so overpaid may be taken by such taxpayer as a credit on the tax shown as due in any subsequent return or returns filed in accordance with the provisions of this act

Section 403 Estimated Assessments (a) If any person believed by the department to be liable for tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by this act and if the department shall deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of the accounts of such person it may make an estimated assessment of the probable amount of tax owing by such person but in every such case the department shall add to such estimated assessment a penalty of fifty per centum (50%) thereof and the department shall proceed to collect such estimated tax and penalty as in other cases if the amount is not paid when due

(b) The estimated assessment thus determined together with the penalty of fifty per centum (50%) specified

above and interest at the rate of one-half of one per centum per month or fractional part thereof until paid shall be due and payable ten days after notice of such settlement shall have been mailed by the department to the person against whom the estimated assessment has been made

Section 404 Limitation of Assessment (a) Any additional assessment or estimated assessment shall be made by the department within five years of the date when the annual return required by section three hundred four hereof should have been filed as prescribed in this act whether the date originally prescribed or pursuant to any extensions of the time for filing such return duly granted by the department and not after Any such additional assessment or estimated assessment may be made at any time during such period notwithstanding that the department may have made one or more previous additional assessments or estimated assessments or both against the taxpayer for the year in question or for any part of such year In any such case no credit shall be given for any penalty previously assessed or paid

(b) If the taxpayer shall have died any taxes interest and penalties due under this act for years prior to his death or for the year of his death and whether based on original assessments additional or estimated assessments or otherwise may be presented by the department at audit of his estate in the orphans' court such court shall give full effect to the priorities and equitable interest given to the Commonwealth by this act

Section 405 Reassessment Review Appeal Refund (a) Any taxpayer against whom an additional or estimated assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the additional or estimated assessment becomes due and payable The department shall hold such hearings as may be necessary for the purpose at such times and places as it may determine and each taxpayer who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearing in his case will be held A petition for reassessment if filed shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the additional or estimated assessment is erroneous or unlawful in whole or in part and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition If no petition for reassessment has been filed with the department but the taxpayer has given due notice of an intention to appear and be heard the taxpayer may appear at the hearing and present his petition orally in which event all statements of fact at the hearing shall be made under oath or affirmation

(b) Within sixty days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the board of finance and revenue to review such action Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies or shall incorporate by reference the petition for reassessment in which the reasons are stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The board of finance and revenue shall act finally in disposing of petitions filed with it within six months after they have been received In the event of the failure of the board to dispose of any petition within six months the action taken by the department upon the petition for reassessment shall be sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due on such basis as it deems according to law and equity The board shall give notice of its action by mail to the department and to the petitioner

(c) Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the board or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(d) Refunds of taxes paid under this act shall be made under the provisions of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) known as "The Fiscal Code" and its amendments

Section 406 Rules and Regulations Inquisitorial Powers of the Department (a) The department shall have the authority to prescribe adopt promulgate and enforce rules and regulations in conformity with this act and relating to any matter or thing pertaining to the administration of the taxes imposed by this act The department may from time to time alter or amend such rules and regulations in any manner it considers advisable

(b) The department or any of its authorized agents is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer including his bank accounts or similar items in order to verify the accuracy and completeness of any return made or if no return was made to ascertain and assess the tax imposed by this act The department may require the preservation of all such books papers and records for any period deemed proper by it not to exceed however six years from the end of the calendar year to which the records relate Every such taxpayer is hereby required to give to the department or its agent the means facilities and opportunity for such examinations and investigation The department is further authorized to examine any person under oath concerning taxable sales by any taxpayer or concerning any other matter relating to the enforcement or administration of this act and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes to have knowledge of such matters The procedure for such hearings or examinations shall be the same as that provided by the Fiscal Code relating to inquisitorial powers of fiscal officers

(c) Any information gained by the department as a result of any return investigation hearing or verification required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person unlawfully divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Notwithstanding the foregoing provisions of this subsection the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any other state now or hereafter imposing a tax upon sales of tangible personal property or classes of such property or the authorized representative of such Commission or officer to inspect any returns or reports of investigations filed or made under the provisions of this act or may furnish to such Commissioner or officer or his authorized representative an abstract of any such return or supply him with information concerning any items contained in any such return or report but such permission shall be granted or such information furnished to such Commissioner or officer only if the statutes of the United States or of such other state as the case may be grant equal privileges to the officers of this Commonwealth charged with the administration of this act

Section 407 Records of Non-Residents (a) A non-resident person including a foreign corporation who is engaged in one or more businesses in this Commonwealth as a retail dealer shall keep adequate records of such business or busineses and of the taxes due with respect thereto which records shall at all times be retained within this

Commonwealth No taxes collected from purchasers shall be sent outside the Commonwealth without the written consent of and in accordance with conditions prescribed by the department

(b) Any person who shall violate or assist in the violation of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 408 Tax Held in Trust for the Commonwealth All taxes collected by any retail dealer from purchases in accordance with this act shall constitute a trust fund for the Commonwealth and such trust shall be enforceable against such taxpayer his representative and any person receiving any part of such fund without consideration or knowing that the taxpayer is committing a breach of trust Provided however That any person receiving payment of a lawful obligation of the taxpayer from such fund shall be presumed to have received the same in good faith and without knowledge of the breach of trust Any person other than a taxpayer against whom the department makes any claim under this section shall have the same rights to petition and appeal as are given taxpayers by any provisions of this article

Section 409 Priority of Tax In the distribution voluntary or compulsory in receivership bankruptcy or otherwise of the property or estate of any person all taxes imposed by this act which are due and unpaid and are not collectible under the provisions of section four hundred eight hereof shall be paid from the first money available for distribution in priority to all other claims and liens except in so far as the laws of the United State may give a prior claim to the Federal government Any person charged with the administration or distribution of any such property or estate who shall violate the provisions of this section shall be personally liable for any taxes imposed by this act which are accrued and unpaid and are chargeable against the person whose property or estate is being administered or distributed

Section 410 Lien of Taxes All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner provided in this act and as such shall be a lien upon all real estate within the Commonwealth of any taxpayer resident or non-resident but only after the same has been entered and docketed of record by the prothonotary of the county where such real estate is situated as hereinafter provided

The department may at any time transmit to the Prothonotaries of the respective counties certified copies of all liens for taxes imposed by this act and penalties and interest it shall be the duty of each Pothonotary receiving such lien to enter and docket the same of record in his office which lien shall be indexed as judgments are now indexed All such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation judgment claim lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time such tax lien is recorded save and except the cost of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property The lien of said taxes interest and penalties shall continue for five years from the date of entry and may be revived and continued in the manner now or hereafter provided for renewal of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such written writs are ordinarily employed

Any wilful failure of any Prothonotary to carry out any duty imposed upon him by this section shall be a misdemeanor and upon conviction he shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Article V

Violation and Penalties

Section 501 Penalty for Fraudulent Annual Return Any person who shall wilfully make or cause to be made the annual return required by section three hundred four of this act which is false and fraudulent shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to all other penalties imposed by any of the preceding provisions of this act

Section 502 Other Penalties Except as otherwise provided by section five hundred one any person who shall wilfully fail neglect or refuse to file any return or report required by this act or any taxpayer who shall refuse to pay any tax penalty or interest imposed or provided for by this act or who shall wilfully fail to preserve his books papers and records as directed by the department in accordance with section four hundred six hereof or any person who shall refuse to permit the department or any of its authorized agents to examine his books records or papers or who shall knowingly make any incomplete false or fraudulent return or report or who shall do or attempt to do anything whatever to prevent the full disclosure of the amount or character of taxable sales made by himself or any other person shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or undergo imprisonment not exceeding one year or both in the discretion of the court The penalties imposed by this section shall be in addition to any penalties imposed by any provision of this act other than section five hundred one

Article VI

Disposition of Tax Penalties Interest

Section 601 Disposition of Proceeds All taxes collected under the provisions of this act together with any penalties and interest thereon shall be used for public school purposes in so far as permitted by the requirements of the constitution of Pennsylvania

Article VII

Miscellaneous

Section 701 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for any purpose

Section 702 Effective Date This act shall become effective on the first day of the second calendar month after the month in which it is finally enacted and all taxable sales during that month and for a period of two years thereafter shall be subject to tax hereunder

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, I know a number of folks were quite amazed when last evening we again reported from the Committee on Ways and Means the sales tax bill. I might say by way of explanation the reason the bill is back on the calendar.

Several weeks ago when the bills were recommitted to Committee, many of the Members on our side felt that we made a mistake in sending the bills back to Committee.

When Governor Fine appeared before this body several weeks ago and made his talk on taxes and the budget, immediately following his speech Members came to my desk, came to the desk of the Chairman of the Committee on Ways and Means; and practically demanded

that the Committee on Ways and Means be called into action and that the two sales tax bills be returned from Committee. They felt that Governor Fine in his speech very strongly pointed out that Pennsylvania needed a board base tax and that the sales tax was the only vehicle by which we could put over a broad base tax in Pennsylvania to balance the Governor's modest budget for the next biennium.

These demands that the Chairman call a Committee meeting were repeated when we came back this week. It was felt that out of deference to the demands of the members who wanted to vote on this bill it should be released from Committee and be placed in position for a vote today. That is just where we stand at the present time. We are about to vote on the sales tax bill. Needless to say, I am asking everybody to vote "Aye" on this bill. I hope to give you reasons why you should do this very thing.

By way of a litt'e history of this Session, we all know that Governor Fine's budget came to us very early in the session. I say it was a very modest budget. It was a budget that had been trimmed to the core. If there was any fat in the budget requests, it had been stricken by the Governor himself.

As I have repeatedly said here, the Governor before he even recommended a budget to us cut $65 million out of the budget requests. After we received the budget in the House, our House Republican Caucus recommended $20 million in budget cuts.

You will recall when Governor Fine was before us recently, he recommended that we cut it another $10 million. In fact his total instead of $157 million in the original budget, by reason of increases and possible increases in revenue and budget cuts, we are now faced with raising the sum of $118 million to balance this budget.

As you all know, the biggest item in the Governor's budget is for education, $503 million. I believe there is some $10 or $15 million in cuts that have been recommended in that particular item.

Pennsylvania is now one of the leading states in education. When I came to this legis'ature in 1947 the school teachers in Smethport, my home borough, were getting anywhere from $1500 to $2000 to $2200 a year. That was after World War II. We in this House had the courage to put through a modest salary bill to raise the teachers to approximately $2100 a year minimum salary, and in the last Session we upped those requirements and doubled their increments for one year.

We had the courage on this side of the House to raise the teachers' salaries on the school budget to pass a tax program which might have been distasteful to us, but we passed a tax program which got us out of the session the last time, and we are proud of the school teachers' salary schedule that is in that bill. We have tried to raise the school teaching profession from a job that most bright young people in Pennsylvania shied away from to a profession that we can all be proud of.

We are not apologizing for the splendid retirement system we have given our teachers. We have an excellent normal school system in this state, and surely nobody would quibble with our providing a reasonable low-cost education for the young person who cannot afford going to the more expensive schools of higher learning besides our normal schools.

We are not apologizing for the money that we are giving to our four great state universities. The money that we give them gives them the added money to provide programs which have made Pennsylvania one of the leading states in the Union as far as higher education is concerned. I think we have some 76 institutions of higher learning in this state at the present titme.

We are doing a good job for our medical schools Pennsylvania is one of the great medical centers of the world today. Recently I read now how at the University of Pittsburgh they have possibly isolated the polio germ. If they have done that, it will save lives and prevent crippling millions of young people in America today. What we give to those medical schools will be a drop in the bucket for the great service we are giving to research and medical education in this state.

We are glad to be able to keep up the soldiers' and sailors' home in Scotland. We are not ashamed of giving money to Lincoln University, the only university north of the Mason-Dixon line for our colored folks. We are glad to help that school.

It is pretty easy to add up $500 million in education in what we are doing in this state, and I say we possibly should even do more for education in Pennsylvania.

Now let us take the Department of Public Assistance. We must provide $105 million for that Department. When I came here in 1949, it was $195 million. Mrs. Evans, the head of that Department is doing an excellent job. They are clearing out the chiselers on relief. They are making relatives pay who are financially responsible to take care of their dependents, and they have done an excellent job in paring that down to $105 million.

Pennsylvania is going to take care of its needy. That is one of the big items in this budget, and it is an item that we must all vote for because it is one that really does a job for our needy in this state. We have an excellent Department of Public Assistance.

Tied in with that is our Welfare Department. We have a very modest budget as far as welfare is concerned. I have heard it estimated that we have 55,000 people in welfare institutions in this state. So I said here on the floor one day, someone said, "You should cut the budget 10 percent." Cut that budget 10 percent? That would mean turning about 5,000 of those people out of welfare institutions back into the local communities and put them back on society so they would be a burden to society.

I understand there are 7,000 or 8,000 persons in Pennsylvania now who are mentally ill or crippled or have spastic paralysis, who are mongoloid, and so forth, that should be in welfare institutions. That is a job that we must do to keep pace with mankind in this state.

With your kind indu'gence I am going to relate further some of the items in the budget. Let us take the $88 million we must put forth now to retire our bonds during the next biennium. Sixty million dollars of that amount is for the soldiers' bonus. There is nobody in this House who wants to apologize for the fact that Pennsylvania passed that bonus. We paid a modest debt to the soldier boys who fought for democracy. We on this side had the courage to pass it and the courage not to annex a tax bill onto the bill. We did not want to kill the bill, we wanted it to stand on its own feet.

In the public press of late I have heard the state Democratic Chairman, and other persons high up in Democratic circles, say we did not have the courage to pass a tax bill in order to pay the soldiers' bonus. As far as that is concerned, if you want to analyze our budget, the budget is really just education and the bonus.

I have searched the Journals because I was sure the gentlemen on the other side had something to say about annexing a tax to the soldiers' bonus back in 1949. In the Legislative Journal of April 18, 1949, on Page 3386, here is what the Minority Leader said about that very thing. I believe there was an attempt to couple the soldiers' bonus with a horse-racing bill.

Mr. Andrews said,

> I am not only opposed to coupling the soldier's bonus with a horse-racing bill, but I am opposed to coupling the soldiers' bonus with any tax at this time. If I were interested in defeating the soldiers' bonus, I would send it to the people tied with a tax, a particular tax. Insofar as the soldiers' bonus is concerned, the bonus is the issue. We refer the question to the judgment of the people and we ask them to vote for or against the soldiers' bonus instead of asking them to vote for or against a particular tax.

You will again pardon me for a personal reference Here is what Mr. Lovett, one of our splendid Members on the other side, said,

> I am like my colleague, Mr. Andrews. I feel that the issue is a separate issue and should not be tied. I feel that the Members of the Legislature two years from now should decide the issue, or if there is a special session, we should then decide the issue of the tax.

I am pointing this out to say that the fact that we have not got a tax today that is tied to the soldiers' bonus was the will of the Republicans, the Democrats, the American Legion, the AMVETS. Everybody in Pennsylvania wanted that thing to stand on its own. That is the reason why we are faced today with the ever-recurring $60 million in our budget. We are glad to stand up and vote for taxes to pay that particular item because it was paying, as I said, a just debt to the soldier boys.

We have other items in the budget, but I have pointed out what I consider are the main items, and I say they are very, very modest.

The $79 million for running the Departments is also a modest sum. That has been cut to the bone. It all adds up to over a billion dollars, but we have cut it some, and it is now under a billion. Yet we face the fact that we must raise $118 million.

I want to say something about our present tax structure. It is pegged to business, it is pegged to prosperity, and it is pegged to profits. Pennsylvania would be in a terrible shape if we continually put on the back of business more and more taxes. I have a chart here which shows that business is now paying 63 percent of the tax load of this state. That is not only unfair, but as I say it is dangerous, because if we go into a tailspin of any kind, you will find that the tax that we will receive from corporate net income will go down, the cost of relief will go up and we could very, very quickly face a $100 million deficit which would call for maybe an immediate special session to get the money to run the state during the current biennium.

We have before us today the sales tax bills. It is a broad base tax. Again, as I have said here, unless you drink, smoke, die, become incorporated, or have a casual sale of real estate, the average person does not pay anything to run this great state. That is an anomalous situation. Business has been carrying the load. I and all of us in this House have been going on an easy ride. The time has come when the average man, the man in the street, should put his shoulder to the wheel and help run this great state.

This sales tax bill is the vehicle, the opportunity, for the fair-minded, moral Pennsylvanian to step right up and say, "Fellows, you did a job. We are glad to be able to do this for Pennsylvania, for the people who need this money, for our schools, for our soldiers' bonus, for all our institutions."

In drawing up this sales tax bill, we tried to be eminently fair. We exempt food; shelter is exempt. Your insurance premiums, laundry, all types of services are exempt in the bill.

Recently I gave you some figures on the floor of the House that the unskilled worker making from $2100 to $2300 or $2400 a year would only pay from five to seven dollars a year under this tax. Someone said the way you have amendments in this bill it is in effect a graduated income tax because the average fellow that is getting the smaller salary, most of his money going for food and not exempt items. The incidence of the tax does not fall very heavily on him. It becomes regressive, as I understand it, at around $6000.

The bill as it stands, I believe is a fair bill. I think it is equitable, I think the people of Pennsylvania, once we enact it and put it into the law, know that it is earmarked for education which is one of the big things in Pennsylvania that we are paying money for. After it has been enacted into law, I am sure that the people will say "Well, I am glad to pay my share to run the educational system in this state."

The average person will admit that heretofore they have not been paying a dime to run this particular department of our government, unless, as I said, they smoke or drink or become incorporated or should pass away, and then their estate will have to pay a very modest inheritance tax of 2 percent, if they are direct heirs.

I want to say to everybody in this House, and I am speaking not only to Republicans but I am appealing to Democrats, this is our problem. We all voted for House Bill 417 in 1947 that raised teachers' salaries. We voted for the bill last Session that gave them more money. We voted for school transportation, school buses to transport our children. We all voted for school building authorities which makes it possible to erect school buildings in Pennsylvania that are now so vitally needed in this great increase in our population since the war.

As the years go on we are going to face a tremendous problem in housing the grade schools and later on the high schools in this state. This money we must have in order to balance this budget.

All of us in this House have voted for appropriation bills. We have created all these different things that we now need the money for. This is a very importan Session, probably the most important since the Civil War, because we have come to the point where we have run out of hodge podge taxes. Enacting every hodge podge taxes is slapping somebody that is already paying huge

Pennsylvania taxes in some other form. It is grossly unfair.

Therefore this tax, I would say, is the fairest tax that we presently can put forth. I could recite to you some of the school districts in Pennsylvania that are receiving funds right now that are in Democratic districts.

Again you will pardon the personal reference, but let us take the Minority Leader. He can say what I am getting in McKean County for my school. Take the city of Johnstown, I have some figures here which are perhaps a fair estimate for 1954-1955, Johnstown will receive a total of $1,014,690, over a million dollars. Their local effort is $1,700 thousand. But they are getting a million dollars from the state.

Let us be fair, Mr. Lovett. If he is from Trafford Borough, which I think he is, they will receive $88 thousand during the 1954-1955 school year. They will receive $88,733, and their local effort is around $97 thousand.

We are just as fair to Republican counties as to Democratic counties, to all counties in Pennsylvania. We must all run our hospitals and our schools, and therefore it behooves everybody on both sides of the House to forget about whether you will be reelected to come back here or not. That should be the minor issue. Let us be statesmen first, and Assemblymen who want to be reelected second. That is your job here today.

This is a very, very fair tax bill. It is eminently fair. I think if you vote for it you can go home and probably say to your teachers and your doctors and nurses and your people in your hospitals, "I had the guts to stand up and vote for a broad base tax to keep up the good work in Pennsylvania."

Instead of your going home and saying "I did not have the courage to vote for a broad base tax which would save Pennsylvania from financial ruin during the next two years, I was glad to be able to stand up and be counted as voting on a tax which will give everybody in Pennsylvania a chance to pay the load.

Therefore, I am asking everybody in this House to vote "aye" when the roll is called on this bill.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman for his remarks on what I had to say about the soldiers' bonus.

I appreciate what my Borough gets from the state of Pennsylvania. I have more or less always advocated a broad base tax. I discovered to my amazement when I look over this great state of ours that there are so many municipalities today that are paying a broad base tax. In my little Borough of Trafford, we are paying a one percent wage tax, three-fourths of which goes to the School District and one-fourth to the Borough.

I must say to you, as I said here the other day, you are a little late in enacting your broad base tax. You have given to every municipality outside of second class townships the right to enact a broad base tax in this state of ours. Now you are going to pile on their backs an additional tax from the state. I say to you that the interests in the state of Pennsylvania that made their millions during the war years should be ashamed of themselves to now ask the soldier boys with the families to pay back the soldiers' bonus that they received.

Where are the millions that were made in Pennsylvania during the war years? Who is going to bear the burden? Who are these poor corporations that you are taking about? You are not kidding the people of Pennsylvania. Nobody is being kidded. The working man today tells me, "Jim, why don't you fellows down in Harrisburg just take our pay and give us a couple of dollars for spending money?" That is what is happening in Pennsylvania, and I say to you that a state as rich as the state of Pennsylvania should be ashamed of itself to pile a broad base tax, such as this on the backs of those on whom you have already, in almost every municipality, placed a broad base tax. That is the reason why I can stand here and honestly and truthfully vote against this sales tax.

Mr. ANDREWS. Mr. Speaker, at this late hour it is not my intention to emulate the example set by the eloquent and able Majority leader. He is a real evangelist. I think I could make a lot of money if I could get a tent and have him preach to the people to hit the sawdust trail.

He laments the fact that a portion of Pennsylvania's revenues are tied to profits and prosperity. If there is any place to tie taxes, it is to profits and prosperity during the period when profits and prosperity are the rule.

Mention has been made of the portion of our Commonwealth budget that is financed by taxes levied on business compared with other states. They do not tell you that when you take the taxes paid by business at local levels, business is undertaxed in Pennsylvania. And they do not tell you that per capita taxation in Pennsylvania is $11 a year below the national level.

I have listened with real interest to the paean of praise the Majority Leader sang about the achievements of his party, about their courage, their willingness to pass taxes, their courage sufficient to enable them at every turn of the road to meet the issue. Now as far as I am concerned there is a call for courage upon the part of the majority group in this House. Trot out your courage; we have the conviction. Your conviction seems to lead you in the direction of the tax you talk about.

You say a tax on cigarettes and things like that is hodge podge. You could tax three or four articles in that hodge podge, but if you tax the ten thousand articles that enter into the economy of the average home, if you tax baby buggies and spoons and tables and table cloths and hats and automobiles and all the other things that you could name about the home, instead of taxing a few articles you tax them all, and that is statesmanship, but is not hodge podge!

When I hear the bell tolling, I do not know whether it is tolling a paean of victory or whether it is tolling the doom of the sales tax. The call of the bell is for courage. Let's have the vote.

Mr. KENT. Mr. Speaker, I made a remark at the opening days of this session that I felt it was going to take a lot of cooperation and a lot of understanding among the membership of this House, and I mean the membership on both sides of this House, if we were to accomplish the job that we are faced with.

I am sure today is the day when all of us have to face up to the responsibility that was placed in us when we were sent here. There is nothing more important to the people of the Commonwealth of Pennsylvania than that they receive the services from their government that they want. It certainly can not be argued in this House today that the people of Pennsylvania do not want

the services that they are receiving from the government here in Harrisburg.

It cannot be denied that additional funds are needed by additional taxes and additional means of raising the revenue with which those people will receive the services we are providing.

I think our responsibility, and I think we should think a lot about this, is to the people that put us here and all of the people of Pennsylvania; not only the ones from our respective districts, but to everyone. Certainly our duty and responsibility, our obligation to them is much greater than our responsibility to the political organization to which we happen to be affiliated.

Certainly we cannot sit here and vote appropriations without providing the means with which the bills are going to be paid.

For the first time since I have been in this Legislature I now have a chance to vote for the revenue raising measure that has the least opposition of any tax that I have been called upon to vote on since I have been here. I think you will all agree with that.

But what the reason is that we seem to be faced with a dilemma, that we cannot raise the necessary funds, what that reason is, I do not know. I have a lot of suspicions, but what the real reason is I certainly do not know. I do know that the Republican leadership in this House has made every possible effort to provide a tax program which will pay the bill and provide the service which everyone of us is here to give to our people in Pennsylvania.

Someone might say we need help. Possibly we do need help, but then I cannot help saying again, the responsibility of raising revenues to pay for this service is not entirely in the hands of the Republicans of this House; the burden should be equally borne with the minority.

Another thing, Mr. Speaker, and I do not want to be so naive as to think that it does not happen, but I don't think that any revenue raising measure, any tax bill or any other bill that is on our calendar or is introduced in this House, I do not think that its success or its failure should depend upon the success or the failure of some other bill that has been introduced in this House or happens to be on the calendar.

I went on record for the sales tax in 1950 in my home town and in my home county, and I can say to you with all sincerity that it has not hurt me one bit. I think some thought should be given to this; if anyone in opposition to this sales tax thinks it is going to affect his chances of being sent back to this House, I would like to ask him what he thinks his chances are going to be if the bill is not paid and if the money must be raised back in your local counties, your local districts, on a local level.

I think you will all agree that the response from the people of this Commonwealth on any idea such as that certainly answers that question, that it cannot be done.

In closing Mr. Speaker, I want to say this, and I want to take exception to the remarks of the Democratic leader, the Pennsylvania Democratic leader, when he said last night in Erie, and I quote "The Republican Party," he accuses us, "is callously buying votes through appropriation of large sums to popular vote-getting programs while avoiding the unpleasant task of enacting taxes to pay for them."

I will agree with him in this one respect. If you want to call it buying, the programs that we are providing to the people of this Commonwealth, if you want to call that buying, vote-getting programs, then I am for it. And I hope we will continue, because any program we can provide that will get the votes to keep a Republican administration in Pennsylvania is a good program. But I take serious exception and challenge the gentleman in his remark that we are avoiding an unpleasant task of passing a tax program to pay for that program.

We are doing everything we can to meet that task. I want to say again that I think if you want to do a job for the people of Pennsylvania whom you represent, you will join the others who believe that the sales tax is the fair and equitable way to raise this money and vote for this sales tax.

Mr. GEER. Mr. Speaker, I noted in the Minority Leader's address that he mentioned, business is under-taxed in Pennsylvania. I thought of a picture that I have seen recently in a popular magazine of another State, advertising in every attractive way they could to bring business into their state. They offered a certain number of years when there would be no taxes. They claim they have the labor, they have the equipment, they have the power, they have every thing that any business would want. Business was not over-taxed in their state, was their advertising power.

I think sometimes the Democrats in the state forget that they are not Democrats in the national government. In the national government they can tax business, and they know it is going on all over the United States. But you gentlemen sitting here are not doing it all over the United States when you pass taxes on business. We have competition with other states in the United States, and it is about time we make a few observations.

One of the things is this, you do not have to read too many magazines to know that steel and iron ore are no longer coming from the same source. It is going to come from South America. It is going to come from other continents, and we are going to continue to manufacture steel in the same proportions that we have been. That means something else. That means that steel mills are moving down to Mobile, Alabama, and they are moving over to Baltimore and other seacoast ports. Now, they do not all want to move; they want to stay here because moving is an expensive proposition, and a lot of them are staying right here in Pennsylvania. As long as that exists we still have the same name that we had before, the greatest state for producers' goods in the world. That name is going to cease if we continue to push and push and push on business, because there is a time when they are going to add up the fact that they have to go so far for their iron ore, and they are going to add to that the fact that taxes are too high, and they are going to add the fact that we have driven out all the manufacturers in Pennsylvania so that they do not have to go so far for their steel any more, but they have to go as far as they ever did. They will say, we will move closer to the people in the other states because Pennsylvania is driving its manufacturers out. It is a rolling ball. It rolls and we have it here in Pennsylvania, and we better not starting talking about under-taxing business. We better keep them while we have them.

And another thing about veterans. I am a veteran. I received the benefits of the soldiers' bonus. And all I have

to say now is do not take jobs away from veterans. They are no longer in the Army. Do not slap taxes on corporations and drive them out of Pennsylvania. We are well situated here. I will pay my share. I always wanted to carry my share. I carried it in the army and I will carry it now. I think the veterans of Pennsylvania want to carry their share of this state's tax load.

Mr. GLEASON. Mr. Speaker, "Let's be fair Lovett" was up a minute ago and made a statement that the working man would sooner have us get his pay check and then hand him back a few dollars instead of taking off a tax.

I do not believe the working man is so bad off in Pennsylvania as he makes him out to be. I see them have new cars, they have radios, they have television, they go to the movies, they seem to be able to go out to night clubs, go to the bars, and so forth. I want to tell you I am a farmer, and the farmers and farm help do not get anywhere near the wage that the working man does per hour. I have a man who lives in my apartment on the farm that I happen to have, a double house, and I know that he gets $1.82 an hour and when I figure it out here, my son and my hired man and the hours that they put in, they get every 14th day off—they put in 143 hours in 13 days, and if he got paid the hourly rate that the working man does, even a truck driver up our way gets $1.10, I am afraid you would have to get a lot more to be a Legislator and be able to eat down here in Harrisburg. I cannot see where the working man is bad off. I as a farmer and the rest of the farmers in the state of Pennsylvania, I think are willing to pay our share and we work more hours and harder hours I believe than anybody in this state. I just wanted to come back at Mr. Lovett on that statement on the working man.

Mr. LOVETT. Mr. Speaker, I did not want to prolong the debate, but they continually say "Let's be fair, Lovett." I am not sorry for anything I said. I say to the farmer gentleman that the gentleman who is working for him possibly does not own any big farm. He may own a car that he travels around in.

I am only telling you here today that you have just about gone to the point in taking taxes out of the pay envelope, that these fellows will not be able to run these cars. When you cannot run those cars and cannot sell those cars to those working people, then you will not need to bother about the factories in Pennsylvania.

The only thing that makes business is the people. You can have all the factories in the world. They do not make anything. It is the people who make the country, and it is the masses of people that we are talking about.

The gentleman, my friend over here, says that he did not get many complaints; at least the least number of complaints he has ever had on a tax program. When you tax the poor people, you do not get many complaints, but when you tax the interests, they are here enmasse for their own protection, and there are only a few of us here who will get up and voice our opinions about what you do to the other people of the state of Pennsylvania. You should all get up because you all have them, the same as I have. The majority of the people of this state are poor people, not rich people, and the rich people do not pay their share of the burden. If they would everything would be lovely. You should collect from those best able to pay.

Why are we against the flat income tax? You would have taxed the poor news boys on the streets; you would have taxed everybody and anybody that made a nickel. So stop and think, ladies and gentlemen. Stop and think of the value of Pennsylvania and all this talk about factories moving out of the state of Pennsylvania.

I heard that back in the Earle administration. We were chasing them all out of Pennsylvania. They are still here. They are all here yet. They are not running away from the protection which they have here—do not kid yourself. They are as well protected in the state of Pennsylvania as any place in the nation that I know of.

Now you can cite figures of what you would pay. It is the most unfair thing in the world to cite the figures that you cite. You take one particular tax and you talk about it, but you do not pay it, and talk about the rest of the taxes that are in this state or that state or the other state.

Let's be fair, as I said before, and face the issues and know when we are doing it that we are protecting the private interests in Pennsylvania over and above the people of Pennsylvania.

Mr. BRETH. Mr. Speaker, I do not rise to oppose the sales tax as a matter of obstructionism. I rise to oppose the sales tax in principle because the history of the sales tax is, once it is on it never comes off. If it does it is a miracle.

In the terms that I have been here I have seen the state budget go from between $800 million to $1,200 million to a $1,400 million. According to the best minds a $2 billion Pennsylvania budget is not too far in the future. It is perfectly true that corporations pay a heavy part of the tax burden in Pennsylvania and it is true that the one percent tax, the way this tax is lined up, is not much. But in future sessions of this Legislatire when you are faced with raising another quarter billion dollars, when your budget starts hitting the billion eight hundred million on to $2 billion to carry on the services of this state, there is only one answer. It will be two percent and three percent. Other states have done it. They have had to do it.

I want to say that as a matter of obstructing the wishes of the majority party at this Session in balancing the budget, I am not opposing this sales tax for that reason. I am opposing it because I believe the people of this state who will pay the sales tax should not be burdened with the extra half a billion dollars that we can see in the state's budgets of the future.

Mr. AUKER. Mr. Speaker, I had not intended to speak in support of the sales tax. I believe the merits of it and the need for it have been very well covered by my able colleagues.

So far as the statement of the Minority Floor Leader is concerned about having conviction and courage, at the risk of being possibly thought a little conceited, I want to inform the gentleman—and I think I have shown it in this Session—that I have the courage to vote my convictions.

I would remind the gentleman and the Democratic party that I was the only Republican who voted for postponement of a vote on the sales tax, although it carried. I had specific reasons for doing that. I did not believe the people of Pennsylvania were thoroughly educated, and possibly they are not as yet thoroughly educated, to the

need for a broad base tax. Certainly there is a vital need for it.

I came down here against any new tax. I, and all others who came down with me for the first time, who had not been here for some years past, did not realize what a chaotic, confused financial condition the state of Pennsylvania was in. We realize it now. I believe that the delay that has occurred on this bill has enabled us who believe in economy in state government to effect a lot of economies.

At the risk again, Mr. Speaker, of being thought possibly a little conceited, I want to assure my colleague from Clearfield, Mr. Breth, and others on the other side of the House, and also on this side of the House, that it was one of my ideas that this tax would only be made temporary; that this tax would not go beyond this present biennium and in order to keep it on the books it would have to be reenacted again in 1955 and 1957.

The gentleman from Cambria, Mr. Andrews, the Minority Floor Leader, made a statement about statesmanship. I question what kind of statesmanship it may be that we as sincere legislators, as we all ought to be, would deliberately pass a bill entering into deficit financing, such as a bill that passed this House this afternoon. Then bring us back here—those of us who want to come back; we may or may not after next year's election—facing another deficit because we have borrowed from the 1955-1957 biennium another six months' revenue that ought to stay just where it is, and sometime that bill is going to have to be paid. I say it ought to be paid now and not prolonged.

Deficit financing is not good; it is not good government; it is not good business and it is not good financing. I believe every Member of this House knows in his heart that that is true.

I considered the tax program that was on the calendar and that has been proposed and to my mind, and I say it sincerely, and I hope from my past record in votes on various bill in this House that it will be taken as such by the Members of this House, that this sales tax now is absolutely necessary for the next two years to solve our financial problems, and to provide the continued good services for the schools, the welfare institutions, the handicapped children, the senile, the insane people, those who are feeble minded, if we want to keep those institutions open, pay adequate wages to the people who maintain those institutions which they are not now being paid. I am saying sincerely that I can be honest in my convictions in voting for this sales tax, just as those on the other side of the House say they can be honest in not voting for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the constitution the yeas and nays were taken and were as follows:

YEAS—94

Ashton,	Gibson,	Light,	Spencer,
Auker,	Gleason,	Lippincott,	Stevenson,
Banker,	Goodling,	Mahan,	Stimmel,
Barkdoll,	Gramlich,	Markley,	Stoner,
Bear,	Greenwood,	Mathews,	Strausser,
Blair,	Gutendorf,	McCullough,	Sucher,
Bomberger,	Guthrie,	McInroy,	Thompson,
Bower,	Hall,	Miller,	Tompkins,
Breisch,	Hamilton, W. H.,	Moody,	Toomey,
Brown,	Haudenshield,	Moore,	VanSant,
Buchanan,	Helm,	Moscrip,	Varner,
Bullen,	Hewitt,	Murray, P. G.,	Wall,
Clapper,	Hocker,	Naugle,	Waterhouse,
Connelly,	Johnson,	Ogilvie,	Weidner,
Cooper,	Jones, Geo. E.,	Peifly,	Wescott,
Davis,	Jump,	Phillips,	Whalley,
Down,	Keller,	Price,	Willaredt,
Erb,	Kent,	Quisenberry,	Wilt,
Ewing,	Kerlin,	Richter,	Wood,
Ferster,	Kline,	Royer,	Yeakel,
Flack,	Kratz,	Rubin,	Young,
Fleischman,	Kromer,	Scott,	Ziegler,
Frost,	Lafore,	Shoemaker,	Smith, C. C., Speaker
Geer,	Leisey,		

NAYS—102

Adam,	Hamilton, R. K.,	McWherter,	Rovansek,
Alexander,	Harris,	Metz,	Sarraf,
Amarando,	Hersch,	Mihm,	Schmidt,
Andrews,	Jenkins,	Mikula,	Schuster,
Baumunk,	Jim,	Mills,	Schwartz,
Bazin,	Jones, Gran'le E.	Monroe,	Shotwell,
Bolton,	Jones, Paul F.,	Moran,	Smith, W. B.,
Boory,	Jones, T. H. W.,	Muldowney,	Snider,
Breth,	Kamyk,	Munley,	Stank,
Bucchin,	Kohl,	Murray, J. J.,	Stone,
Capano,	Kolankiewicz,	Musto,	Taylor,
Cioffi,	Kornick,	Needham,	Thomas,
Comer,	Kubacki,	Olsen,	Toll,
Conner,	Lederer,	Parlante,	Varallo,
Coyle,	Leonard,	Peta,	Vaughan,
Curwood,	Leven,	Petrosky,	Wallace,
Dougherty,	Limper,	Pfaff,	Walsh
Downey,	Lopresti,	Polaski,	Wargo,
DuBois,	Lovett,	Polen,	Welsh,
Dunn,	Lutty,	Poltenstein,	Wheeler,
Farabaugh,	Maguire,	Ragot,	White,
Fenrich,	Maxwell,	Readinger,	Whitenight,
Filo,	McCann,	Reagan,	Williams,
Flynn,	McCormack,	Reidenbach,	Yetzer,
Glick,	McDermit,	Rosen,	Zeitz,
Guss,	McGee,		

NOT VOTING—11

Boles,	Floyd,	Pettigrew,	Watkins,
Cianfrani,	Hoggard,	Seyler,	Worley,
Cochran,	Ide,	Verona,	

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. LOVETT asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SPECIAL ORDER ON HOUSE BILL 908 POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that House Bill 908, Printer's No. 168, be placed on the final passage postponed calendar.

The motion was agreed to.

SPECIAL ORDER RESCINDED

Mr. JOHNSON. Mr. Speaker, on pages one through page nine of the calendar we have Bills on Special Order for 7:30 p. m. EST this evening. I move that that Special Order be rescinded and a time will be fixed for the Special Order when we return after the recess.

The motion was agreed to.

COMMITTEE MEETINGS

BANKING AND BUILDING AND LOAN ASSOCIA-

TION—Mr. Cooper, Chairman, Room 330, Thursday, June 11, at 11:30 a. m. DST.

CITIES-COUNTIES FIRST-SECOND AND SECOND CLASS A—Mr. Ewing, Chairman, Room 521, Thursday, June 11, at 10:30 a. m. DST.

FISHERIES—Mr. Stimmel, Chairman, Room 331, Thursday, June 11, at 10:30 a. m. DST.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Thursday, June 11, at 10:30 a. m. DST.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 9:00 p. m. EST. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

BILL INTRODUCED AND REFERRED

By Mr. FERSTER. HOUSE BILL No. 1455.

An Act to further amend Clause (1) of Section 1101 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by adding the terms coordinators, directors, and public school psychologists to the definition of professional employ.

Referred to the Committee on Education.

By Mr. BOWER. HOUSE BILL No. 1456.

An Act to amend clause (17) of Section 2 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of Public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limted extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; confering upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulations, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by redefining the conveying or transmission of messages or communications to include the transmission of television signals by cables to homes and business places for compensation.

Referred to the Committee on Public Utilities.

By Mr. BOLTON. HOUSE BILL No. 1457.

An Act making an appropriation to the Department of Justice for the payment of ceratin moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. DUNN. HOUSE BILL No. 1458.

An Act relating to the education, certification and jurisdiction of justices of the peace and aldermen; conferring powers and imposing duties on State departments, the president judge of the various courts of common pleas and county commissioners.

Referred to the Committee on Judiciary.

By Messrs. CIOFFI and McCULLOUGH.
HOUSE BILL No. 1459.

An Act to further amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of jury commissioners.

Referred to the Committee on Counties.

By Mr. MULDOWNEY. HOUSE BILL No. 1460.

An Act to further amend Section 10 of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by requiring decisions to be made at the close of each round.

Referred to the Committee on Law and Order.

By Messrs. MAXWELL and MILLS.
HOUSE BILL No. 1461.

An Act requiring beds in hotel rooms to be equipped with soft rubber bumpers and non-squeak springs; providing penalties.

Referred to the Comittee on Law and Order.

By Messrs. ROYER and PAUL G. MURRAY.
HOUSE BILL No. 1462.

An Act to amend Section 404 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets,

highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring that the contractor's performance bond furnished to the Department cover also equipment rental.

Reerred to the Committee on Highways.

By Messrs. WATERHOUSE, BLAIR, POLAKSI and QUISENBERRY. HOUSE BILL No. 1463.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

Referred to the Committee on State Government.

By Messrs. TOLL and LIPPINCOTT. HOUSE BILL No. 1464.

An Act to amend Section 32 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other hand prior acts of Assembly," by providing for an increase of the interest rate on the amount of purchase price.

Referred to the Committee on Judiciary.

By Mrs. VARALLO and Mr. TOLL. HOUSE BILL No. 1465.

An Act to amend the act approved the tenth day of March one thousand nine hundred and forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts and repealing certain provisions of said act.

Referred to the Committee on Education.

By Mr. McCORMACK. HOUSE BILL No. 1466.

An Act to further amend Section 2 of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by exempting from such taxes, bequests and devises to charitable institutions and organizations.

Referred to the Committee on Ways and Means.

By Messrs. MILLS and KENT. HOUSE BILL No. 1467.

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in certain political subdivisions and revising, consolidating and making the law uniform relative thereto; conferring powers and dutes on the State Auctioneers' Commission and on certain departments and officers of the State and local governments; providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

Referred to the Committee on Professional Licensure.

By Messrs. MILLS and KENT. HOUSE BILL No. 1468.

An Act to further amend part of Section 202 and to add Sections 463 and 1314 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers' Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction; fixing the qualifications and compensation of members and imposing certain duties on said commission.

Referred to the Committee on Professional Licensure.

By Mr. ERB. HOUSE BILL No. 1469.

An Act providing for submission to the electorate for the information of the General Assembly, upon petition by a prescribed number of registered electors, of questions concerning any matter which may come before the General Assembly for legislative action.

Referred to the Committee on State Government.

By Mr. GLICK. HOUSE BILL No. 1470.

An Act requiring every owner and occupier of a public building to install and maintain an anchor on the sides of outside windows; establishing prima facie evidence of negligence in certain cases and providing penalties.

Referred to the Committee on Labor Relations.

By Messrs. HERSCH and SARRAF. HOUSE BILL No. 1471.

An Act to amend Section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any

Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing the Department of the Accountant General to examine the accounts and books of the Authority and providing for reimbursement.

Referred to the Committee on State Government.

By Messrs. HERSCH and SARRAF.

HOUSE BILL No. 1472.

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds, of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by defining the powers and duties of the Department of the Accountant General and the Accountant General; providing for the installation and maintenance of a uniform system of accounts of Commonwealth finances and of accounting reports based thereon; imposing duties on every Commonwealth agency, receiving or disbursing moneys from or on behalf of the Commonwealth, and further regulating the disbursement of moneys from the State Treasury.

Referred to the Committee on State Government.

By Messrs. HERSCH and SARRAF.

HOUSE BILL No. 1473.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Department and office of the Accountant General and defining their powers and duties; changing certain powers and duties of the Governor and of the various departments, boards, commissions, and officers; and providing for the transfer of certain employes from the Department of the Auditor General to the Department of the Accountant General.

Referred to the Committee on State Government.

By Messrs. LOVETT, McWHERTER, JIM, MAXWELL and PETROSKY. HOUSE BILL No. 1174.

An Act authorizing judges in counties of the third class to fix the number and compensation of employes appointed by them.

Referred to the Committee on Counties.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 247.

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operatio of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement further prescribing the power of the retirement board to provide minimum retirement allowances.

Referred to the Committee on Counties.

SENATE BILL No. 603.

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee providing for its membership and defining its powers and duties.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. SARRAF and VERONA. Resolution No. 66.

In the House of Representatives, June 10, 1953.

Whereas, The President of the United States without reason or cause has seen fit to dismiss Edward C. Boyle, United States Attorney of the Western District of Pennsylvania by the nomination of another attorney to replace him; and

Whereas, Attorney Edward C. Boyle, as the United States Attorney of the Western District of Pennsylvania has distinguished himself over a period of years as a courageous, impartial, honest prosecutor and defender of the welfare of the country and the Commonwealth of Pennsylvania; and

Whereas, Attorney Edward C. Boyle is engaged at present as the chief prosecutor in the trial involving certain Communists of Pennsylvania for violation of the Smith Act of the United States; and

Whereas, The said Communist trial has been in progress for thirteen weeks in the Federal Court in Pittsburgh, Pennsylvania and shall continue for approximately an additional ten weeks at considerable cost and expense to the taxpayers of the country; and

Whereas, The dismissal of Attorney Edward C. Boyle at this time will mean the termination of the Communist trial thereby lessening any success of conviction and ultimately resulting in duplication of time, services, and expense to the country; therefore be it

Resolved, That the nomination of an attorney as the new United States Attorney for the Western District of Pennsylvania to replace Attorney Edward C. Boyle, be denounced as improper, ill advised and detrimental to the welfare and security of the people of the United States and of the Commonwealth of Pennsylvania; be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, to each Senator and Representative from Pennsylvania in the Congress of the United States and to the President of the United States.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 629.

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties

HOUSE BILL No. 953.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by changing the provisions thereof relating to public parks, playgrounds and other recreation places and facilities, and park and recreation boards.

HOUSE BILL No. 1152.

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds in certain cases to report transfers of property to supervisors of townships of the second class

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 10, 1953.

Resolved (if the House of Representatives concur), That the following resolution

"Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, June 15, 1953 at two o'clock p. m. E.S.T., and when the House of Representatives adjourns this week, it reconvene on Wednesday, June 17, 1953 at one o'clock p. m., E.S.T."

is hereby rescinded, and Be it further

Resolved, That when the Senate adjourns this week, it reconvene on Monday, June 15, 1953 at two o'clock p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, June 22, 1953 at one o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE ON HOUSE BILL 155

Mr. KOLANKIEWICZ. Mr. Speaker, I move that the vote by which House Bill No. 155, Printer's No. 305, entitled:

"An Act to further amend Clause (f) of Section 448 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1929,' by increasing the membership of the Advisory Health Board to include one doctor of osteopathy"

was defeated on final passage, Tuesday, June 9, 1953, be reconsidered.

Mr. TAYLOR. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Kolankiewicz, vote when the bill was defeated on final passage?

Mr. KOLANKIEWICZ. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Taylor, vote when the bill was defeated on final passage?

Mr. TAYLOR. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. YOUNG. Mr. Speaker, although I am not in a position to support the gentleman and second the motion, I ask the Members of this side to support the motion.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. KOLANKIEWICZ. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agreed to the bill on third reading?

Mr. KOLANKIEWICZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "osteopathy" "and one doctor of optometry"

Amend Sec. 1 (Sec. 448), page 4, line 3, by striking out "eleven" and inserting in lieu thereof: "twelve"

Amend Sec. 1 (Sec. 448), page 4, line 7, by inserting after "Pennsylvania" "one a doctor of optometry licensed to practice optometry in Pennsylvania"

The SPEAKER. Will the House give unanimous con-

sent to the offering of amendments at this time? Is there objection? The Chair hears none.

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 649

Mr. GRANVILLE E. JONES. Mr. Speaker I move that the vote by which House Bill 649, Printer's No. 236, entitled:

"An Act to amend subsection (g) of section 3 of the act approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 1898) entitled 'Funeral Director Law,' by providing that persons with fifteen or more years of experience as apprentices shall pass an examination based on practical experience only"

was defeated on final passage, Monday, June 8, 1953, be reconsidered.

Mr. AMARANDO. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Jones, vote when the bill was defeated on final passage?

Mr. GRANVILLE E. JONES. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Amarando, vote when the bill was defeated on final passage?

Mr. AMARANDO. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. GRANVILLE E. JONES. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

DIOCESE OF ERIE
(EPISCOPAL)

OFFICE OF THE BISHOP

June 4, 1953.

Pennsylvania State Representatives
Harrisburg, Pennsylvania

The Diocesan Convention of the Diocese of Erie of the Episcopal Church assembled May 22-23 voted the following resolutions:

Whereas, The Central Committee of Christian Social Relations of the five Dioceses of the Protestant Episcopal Church in Pennsylvania having made a thorough study of following bills pending before the Legislature of the Commonwealth of Pennsylvania and recommends that they be supported by each Diocese.

Be it resolved by the Convention of the Diocese of Erie, that we recommend the passage of House Bill 1160—the basic Child Care Act; House Bill 1132—amending the County Institution District Act; and Senate Bill 480—amending the adoption law.

Be it resolved by the Convention of the Diocese of Erie that we oppose any measure which would legalize gambling in any form.

Be it resolved by the Convention of the Diocese of Erie that we oppose any extension of time for public sale of alcoholic beverages, to any broadened advertising program, and to the public encouragement to the increased use of such beverages.

This Diocese includes Episcopalians living in the thirteen counties of Northwestern Pennsylvania. I trust that you will consider this Convention action seriously in regard to the resolutions involved.

Faithfully yours,

(S) WILLIAM CRITTENDEN
The Rt. Rev. William Crittenden Bishop of Erie

BILL ON SECOND READING

BILLS ON SECOND READING POSTPONED

Agreeably to order,

The Bill having been called up from the postponed calendar, by Mr. JOHNSON,

The House resumed the consideration on second reading of House Bill No. 633, entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; requiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON,

The House resumed the consideration on second reading of House Bill No. 1343, entitled:

An Act to further amend Section 4 of the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by increasing the State tax upon the sale or gift of cigarettes by dealers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. JOHNSON,

The House resumed the consideration on second reading of House Bill No. 1376, entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold, transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. JOHNSON,

The House resumed the consideration on second reading of House Bill No. 1377, entitled:

An Act imposing a tax on the income of unincorporated businesses, trades, occupations and professions; providing for the assessment, collection and lien of said tax; providing for the administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, officers and departments; and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILLS MADE SPECIAL ORDER

Mr. JOHNSON. Mr. Speaker, on pages one through nine on today's calendar, we have Senate Bill 327, Printer's No. 59, Senate Bill 329, Printer's No. 46, Senate Bill 336, Printer's No. 53, Senate Bill 338, Printer's No. 55, Senate Bill 341, Printer's No. 58, Senate Bill 408, Printer's No. 127, Senate Bill 410, Printer's No. 129, Senate Bill 411, Printer's No. 130, Senate Bill 412, Printer's No. 131, Senate Bill 416, Printer's No. 135, Senate Bill 518, Printer's No. 187, Senate Bill 519, Printer's No. 188, Senate Bill 520, Printer's No. 189, Senate Bill 521, Printer's No. 190 and Senate Bill 522, Printer's No. 191 on special order on third reading and final passage.

I move that these bills be made a special order of business immediately.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, so that we can expedite the business of the House without too much loss of time I ask that the Members turn to the calendar on page 46. The orderly process of business will require that the bills be taken up in the following order. You might just make a notation on the back of your calendar.

The first bill that we shall consider is Senate Bill 327. This bill would transfer the Historical and Museum Commission to the Department of Pubic Instruction.

Next in order we should consider 341. Senate Bill 329 depends on the adoption of 341, therefore, the next bill to be considered will be 341, and if that bill carries, we shall then consider Senate 329.

We will then proceed to Senate Bill 336 which is a proposed Constitutional amendment affecting the appointment and tenure of the Superintendent of Public Instruction. That bill does not depend on any other bill.

The next bill to take up will be Senate Bill 338 which would take the Superintendent of Public Instruction off membership on the State Council of Education.

The next bill in its order, not depending on any other bill, would be Senate Bill 410. That would make the State Council of Civil Defense an administrative agency in the Department of Military Affairs.

The next bill would be Senate Bill 416—that would transfer the duties with regard to milk sanitation from the Department of Health to the Department of Agriculture.

The remaining bills are related bills. Senate Bill 412 should be considered first, as that would abolish the Department of Commerce.

The next bill would be 411, which would repeal the Commerce Law.

The next bill would be Senate Bill 518, which would transfer the State Planning Board from Commerce to Internal Affairs.

Then we would take up 521, which would have the same effect as 518 by amendment to the Administrative Code.

Then we would take up 520 which would transfer the Aeronautics Commission from Commerce to Internal Affairs.

519 would transfer the appropriation out of the Motor License Funds for the use of the Aeronautics Commission from Commerce to Internal Affairs.

And the last bill would be 522 which would transfer certain duties with regard to promotional activity from Commerce to Internal Affairs and the Department of Highways.

We would then consider a separate bill, 408, which places the duty on the Department of Public Assistance, I believe, to prosecute financially responsible relatives.

SPECIAL ORDER ON SENATE 327

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 327, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other

executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by making the Pennsylvania Historical and Museum Commission a departmental administrative commission in the Department of Public Instruction, and prescribing its powers and duties.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

SPECIAL ORDER ON SENATE BILL 341

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by establishing the Department of Health and Welfare; transferring to it the powers and duties of the Department of Health, Department of Welfare and Department of Public Assistance; providing for a Secretary of Health and Welfare; defining his powers and duties; and abolishing the Department of Health, the Department of Welfare and the Department of Public Assistance.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. FROST. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

SPECIAL ORDER ON SENATE BILL 329

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 329, entitled:

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. QUISENBERRY. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

SPECIAL ORDER ON SENATE BILL 336

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 336, entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, by making changes in the appointment and tenure of the Superintendent of Public Instruction.

On the quesction,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

On the question,
Will the House agree to the motion?

Mr. BOLTON. Mr. Speaker, I oppose the motion to recommit this bill or any of the bills in this package. I am extremely sorry to see the House going through a procedure of this sort. A motion to recommit on a controversial issue of any kind is a cowardly sort of move. I think the Members of this House should be perfectly willing to stand up and be counted on any of these measures.

On the question recurring,
Will the House agree to the motion?
It was agreed to.

SPECIAL ORDER ON SENATE BILL 338

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill 338, as follows:

An Act to amend Section 408 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties

of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by removing the Superintendent of Public Instruction from membership on the State Council of Education and further regulating appointment of members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 408 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 408 State Council of Education The State Council of Education shall consist of [the Superintendent of Public Instruction who shall be the president and chief executive officer thereof and nine other members

All appointments shall be for terms of six years

The Superintendent of Public Instruction and five other members shall constitute a quorum The council may elect a secretary who need not be a member thereof] nine members appointed by the Governor

The terms of the first three members appointed by the Governor subsequent to the effective date of this act shall expire on the third Tuesday of January one thousand nine hundred fifty-five and the terms of the next three members appointed shall expire on the third Tuesday of January one thousand nine hundred fifty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred fifty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

The council shall elect a chairman from its number and may elect a secretary who need not be a member

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. BOLTON and BULLEN and were as follows:

YEAS—95

Adam,	Guthrie,	McGee,	Readinger,
Alexander,	Haudenshield,	McInroy,	Reidenbach,
Amarando,	Hersch,	McWherter,	Rosen,
Bazin,	Jenkins,	Mihm,	Sarraf,
Blair,	Jim,	Mikula,	Schmidt,
Boory,	Jones, Geo. E.,	Mills,	Schuster,
Breisch,	Jones, Gran'le E.,	Monroe,	Schwartz,
Breth,	Jones, Paul F.,	Moore,	Spencer,
Bucchin,	Jump,	Moran,	Stank,
Buchanan,	Kamyk,	Muldowney,	Taylor,
Capano,	Kohl,	Munley,	Thomas,
Cioffi,	Kolankiewicz,	Murray, J. J.,	Toll,
Comer,	Kornick,	Musto,	Varallo,
Conner,	Kubacki,	Needham,	Varner,
Coyle,	Lederer,	Olsen,	Verona,
Curwood,	Leonard,	Parlante,	Wallace,
Dougherty,	Leven,	Peta,	Walsh,
Downey,	Limper,	Petrosky,	Wargo,
Fenrich,	Lutty,	Pfaff,	Welsh,
Filo,	Maguire,	Polaski,	White,
Frost,	Maxwell,	Polen,	Yetzer,
Glick,	McCann,	Poltenstein,	Zeitz,
Gutendorf,	McCormack,		

NAYS—97

Andrews,	Gibson,	McCullough,	Stimmel,
Ashton,	Gleason,	McDermit,	Stone,
Auker,	Goodling,	Metz,	Stoner,
Banker,	Gramlich,	Miller,	Strausser,
Barkdoll,	Greenwood,	Moody,	Sucher,
Baumunk,	Guss,	Moscrip,	Thompson,
Bear,	Hamilton, R. K.,	Murray, P. G.,	Tompkins,
Bolton,	Hamilton, W. H.,	Naugle,	Toomey,
Bomberger,	Helm,	Ogilvie,	VanSant,
Bower,	Hewitt,	Peifly,	Vaughan,
Brown,	Hocker,	Phillips,	Wall,
Bullen,	Johnson,	Price,	Waterhouse,
Clapper,	Keller,	Quisenberry,	Weidner,
Connelly,	Kerlin,	Ragot,	Wescott,
Cooper,	Kratz,	Reagan,	Whalley,
Davis,	Kromer,	Richter,	Wheeler,
Down,	Lafore,	Rovansek,	Whitenight,
DuBois,	Leisey,	Royer,	Willaredt,
Dunn,	Light,	Rubin,	Williams,
Ewing,	Lippincott,	Scott,	Wilt,
Farabaugh,	Lopresti,	Shoemaker,	Wood,
Ferster,	Lovett,	Shotwell,	Yeakel,
Fleischman,	Mahan,	Smith, W. B.,	Young,
Flynn,	Markley,	Snider,	Ziegler,
Geer,	Mathews,	Stevenson,	Smith, C. C., Speaker

NOT VOTING—15

Boles,	Flack,	Hoggard,	Kline,
Cianfrani,	Floyd,	Ide,	Pettigrew,
Cochran,	Hall,	Jones, T. H. W.,	Seyler,
Erb,	Harris,	Kent,	Watkins,
			Worley,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, is not Senate Bill 338, Printer's No. 55, in the nature of a companion bill to Senate Bill 336, Printer's No. 53?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, my information is that Senate Bill 338 is not dependent on any other bill. They both have to do with the Superintendent of Public Instruction, but they are not so connected that if the one falls the other of necessity must fall.

Mr. SCHMIDT. Then, because of the fact that we have already recommitted 336, would that make 338 in any way different if it were passed?

Mr. JOHNSON. Mr. Speaker, I would say that there is no true relation between the two bills.

Mr. ANDREWS. Mr. Speaker, this bill is the result of sheer effrontery upon the part of the Chesterman Committee. It involves basic policy. The Chesterman Committee was not concerned, properly concerned, with the policies upon which our state government is based. The Chesterman Committee was concerned with administrative details, with possible economies in operation.

Now it is very basic whether we decide that the Superintendent of Education should not be a member of the State Council of Education. If anyone has any reason why the head of our educational system should not be a member of the State Council, I would like to know what it is. This bill has something back of it, some movement, some sentiment, some inner feud with which I am not acquainted, but it does involve a basic departure from our policy, and I question the wisdom of that departure.

Incidentally, Mr. Speaker, I wish to say that in connection with all of these Chesterman Committee bills, that while they were considered in our caucus there was no caucus action that in any way governed the decision of the individual members of our Democratic caucus. As far as these Chesterman Committee bills are concerned no member is in any way obligated to follow my opinion, they are wholly on their own. My opinion is that this is a bad bill and should be voted down.

Mr. JOHNSON. Mr. Speaker, I know that the membership is tired; we have had a hard day. I do not want to say that there is rancor in the House. We are all good fellows, and it doesn't matter if we fight today, we are friends tomorrow.

We have these Chesterman bills on the calendar, and I think they are very important bills. Perhaps we have glossed over them too lightly. I think they are bills that deserve debate, and perhaps a roll-call.

MOTION TO POSTPONE

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. I would like to ask the Majority Leader what is gained by placing it on the final passage postponed calendar instead of voting upon it at this time?

Mr. JOHNSON. Mr. Speaker, I would repeat, the hour is getting late. I want to say again that these bills should be brought up at another time when we can debate them at length. I think it is very important that these Chesterman bills be given more consideration than we have given them tonight. I realize that nothing will be gained tonight. I believe we should not consider these bills at this late hour; I think we are passing over one of the very important issues of this Session at a late hour when everybody is tired. I think the bills deserve more consideration.

Mr. ANDREWS. The Majority Leader may be tired, I am just entering the day.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the questoin recurring,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I just want to take one more moment before we vote on this bill to point out something the Members may not have noticed.

If it is the intention of this bill to get rid of the Superintendent of Public Instruction as a member of the State Council of Education, we will certainly not accomplish it by this bill, because it simply eliminates the requirement by law that he be on that Council, and authorizes the Governor to appoint nine members to that Council. I can not conceive of a Governor not putting his own Superintendent of Public Instruction on the Council. So, in my opinion this bill is silly, and ought to be voted down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—61

Ashton,	Hamilton, W. H.,	Moscrip,	Strausser,
Baumunk,	Haudenshield,	Ogilvie,	Sucher,
Bolton,	Johnson,	Peifly,	Tompkins,
Bower,	Kratz,	Phillips,	VanSant,
Bullen,	Lafore,	Price,	Varner,
Connelly,	Light,	Quisenberry,	Vaughan,
Davis,	Lippincott,	Ragot,	Wall,
Down.	Lopresti,	Reagan,	Weidner,
DuBois.	Lovett,	Richter,	Whalley,
Dunn	Mahan,	Rovansek,	Willaredt,
Fleischman,	Markley.	Royer,	Wilt,
Frost,	Mathews,	Rubin,	Wood,
Geer,	McCullough,	Smith, W. B.,	Young,
Gramlich,	Metz,	Stimmel,	Smith, C. C., Speaker
Greenwood,	Miller,	Stoner,	
Hall,	Moody,		

NAYS—125

Adam,	Gleason,	Limper,	Sarraf,
Alexander,	Glick,	Lutty,	Schmidt,
Amarando,	Goodling,	Maguire,	Schuster,
Andrews,	Guss,	McCann,	Schwartz,
Auker,	Gutendorf,	McCormack,	Scott,
Banker,	Guthrie,	McGee,	Shoemaker,
Barkdoll,	Hamilton, R. K.,	McInroy,	Shotwell,
Bazin,	Harris,	McWherter,	Snider,
Bear,	Helm,	Mihm,	Spencer,
Bomberger	Hersch,	Mikula,	Stank,
Boory,	Hewitt,	Mills,	Stone,
Breisch,	Hocker,	Monroe,	Taylor,
Breth,	Jenkins,	Moore,	Thomas,
Brown,	Jim,	Moran,	Thompson,
Bucchin.	Jones, Geo. E.,	Muldowney,	Toll,
Buchanan,	Jones, Gran'le E.	Munley,	Toomey,
Cavano,	Jones, Paul F.,	Murray, J. J.,	Varallo,
Cioffi,	Jump,	Murray, P. G.,	Verona,
Clapper,	Kamyk,	Musto,	Wallace,
Comer,	Keller,	Needham,	Walsh
Conner,	Kent,	Olsen,	Wargo,
Cooper,	Kerlin,	Parlante,	Welsh,
Coyl	Kohl,	Peta,	Wescott,
Curwood,	Kolankiewicz,	Petrosky,	Wheeler,
Dougherty,	Kornick,	Pfaff,	White,
Downey,	Kromer,	Polaski,	Whitenight,
Ewing,	Kubacki,	Polen,	Williams,
Fenrich,	Lederer,	Poltenstein,	Yeakel,
Ferster,	Leisey,	Readinger,	Yetzer,
Filo,	Leonard,	Reidenbach,	Zeitz,
Flack,	Leven,	Rosen,	Ziegler,
Flynn,			

NOT VOTING—11

Blair,	Floyd,	Kline,	Seyler,
Boles,	Gibson,	Maxwell,	Stevenson,
Cianfrani,	Hoggard,	McDermit,	Waterhouse,
Cochran,	Ide,	Naugle,	Watkins,
Erb,	Jones, T. H. W.,	Pettigrew,	Worley,
Farabaugh,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

(Following the calling of the roll and before the result was announced.)

Mr. GEER. Mr. Speaker, how is the gentleman from Westmoreland, Mr. Maxwell, reported as voting?

The SPEAKER. The Chair does not see the gentleman in the House.

Mr. GEER. Is the gentleman from Westmoreland, Mr. Maxwell, in the House?

The SPEAKER. The Chair is unable to locate the gentleman. Can any Member vouch for the fact that the gentleman was in the Hall of the House during the calling of the roll?

(No response.)

PERMISSION TO ADDRESS HOUSE

Mr. GEER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to point out that the reason I cited Mr. Maxwell was that recently on the floor of the House he pointed out how urgent these particular Chesterman bills were. That has been the cry of the Democratic party over and over again. I am very anxious to see how individuals in the Democratic party vote who are attacking the Republican party for rejecting these bills when the bill is up for vote.

In this particular case the gentleman is on the record as critizing the Republican party, but he is not here tonight to vote in favor of the Chesterman bills.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I question the propriety of the personal reference. Indeed I think it would have been within the proper province of the Chair to call the attention of the last speaker to the impropriety of his personal reference.

The remarks were not in keping with the parliamentary traditions of this House. As far as Democratic acceptance of the absurdities interlarded into the Chesterman committee report, I certainly am not a party to them.

We speak here for and on behalf of ourselves. We are a legislative body. We are only one part of the General Assembly. We have a right to our opinions, and it is not fitting that we should be personally attacked because of what we may say or fail to say.

PERMISSION TO ADDRESS HOUSE

Mr. GEER asked and obtained unanimous consent to address the House.

Mr. Speaker, I only need to call attention to a rumor which was only in the newspapers in recent days, concerning the Democratic statement that anybody who voted for the sales tax would be run out of the Democratic party.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, all that the gentleman read was my personal opinion that any member of the Democratic party on this side of the House, if he voted for the sales tax, would cease to be a Member of the Democratic caucus.

I have no doubt that the gentleman from Allegheny is very zealous in his desire to serve his party. I would suggest that if he really desires to render a maximum service that he retire to the fastness from which he came and not return.

PERMISSION TO ADDRESS HOUSE

Mr. WILLIAM B. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, so far as the Chesterman committee reports are concerned, I have voted against recommitting each one. I voted for this last bill, 338. The reason I did that, I feel that the Chesterman Committee did a remarkable job. I agree with Mr. Bolton that it is a cowardly way of getting by, the way they are handling these bills.

I served on this Hill for approximately ten years in different Departments. I worked in the Public Utility Commission, State Treasury, Auditor General, spent some time in Highway, and this is my second term here.

I knew when the Governor appointed this Committee, just exactly what this Committee was going to find. You do not run a political machine like you would a business enterprise. I knew that these men were going to do a good job, and I had hoped that this House would pass every bill that the Chesterman Committee recommended. Had they done this I am sure it would have solved, or at least gone a long way in solving the problems we have in the state.

I would like to cite some of the things that happened in some of these Departments during my time, but I do not care to do so right now, because it would be too embarrassing to a lot of people. But I believe that this House should consider these bills, and not take the action they are taking in recommitting them.

We are sent down here to do a job, and when you have a job that is a nasty job that you do not like when you are a politician, that is one thing, but when you are serving the people back home that is another.

I say these Chesterman Committee bills need further consideration by the Members here tonight, and we are not tired. Let us go through these bills and do a job. Try and help these people back home on whom we are trying to pile the taxes.

PERMISSION TO INTERROGATE

Mr. BOLTON asked and obtained unanimous consent to interrogate the Minority Leader.

The SPEAKER. Will the Minority Leader permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, may I indulge myself in the defense of the Majority Leader that I am tired.

The SPEAKER. I am afraid the gentleman will not accept that explanation after the gentleman's remark a few minutes ago that he was full of pep.

Mr. ANDREWS. Mr. Speaker, let the gentleman proceed.

Mr. BOLTON. Mr. Speaker, as a Republican I was extremely glad to hear the Minority Leader's comment that he thought administrative economy was not particularly important, at least as proposed by the Chesterman

Committee. I should like to ask the Minority Leader if he thinks at this time in the state's fiscal troubled time —let us put it that way—that administrative economy or any other economy is unimportant?

Mr. ANDREWS. Mr. Speaker, the gentleman from Montgomery was not listening when I was speaking, or I failed to speak clearly.

I said that the Chesterman Committee was properly concerned with administrative economy but it was not charged with the responsibility of passing upon administrative policies. Its mission was to consider those matters that would save the Commonwealth money and not to indulge in criticism as to policies that in no way had any relation to economy.

That is what I said, and I think the record will bear me out. I consider economies and attention to administrative details very, very important matters, and my only regret is that the Chesterman Committee in so many instances failed to wrap its minds around the actual problems with which it dealt.

Mr. BOLTON. Mr. Speaker, I thank the gentleman for a long answer to a short question.

PERMISSION TO INTERROGATE

Mr. WILBUR H. HAMILTON asked and obtained unanimous consent to interrogate the gentleman from Beaver, Mr. Smith.

The SPEAKER. Will the gentleman from Beaver, Mr. Smith, permit himself to be interrogated?

Mr. WM. B. SMITH. I shall, Mr. Speaker.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like the gentleman to inform the Members of the House the name of the Governor who was the Chief Executive of the Commonwealth at the time he worked in Harrisburg.

Mr. WILLIAM B. SMITH, I do not see where that has anything to do with this bill.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to ask the gentleman if he will tell us the name of the State Treasurer when he was employed in the State Treasurer's office.

Mr. WILLIAM B. SMITH. Mr. Speaker, I do not think that has anything to do with the bill, either.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WILLIAM B. SMITH, Yes, I shall, Mr. Speaker, but I want the gentleman to talk about this bill; I do not want the gentleman to talk about something that happened ten years ago.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to ask the gentleman the party with which the people were affiliated and who were in control of the Public Utility Commission when he was an employe of that Department.

Mr. WILLIAM B. SMITH. Mr. Speaker, I would be glad to answer that. I believe the first year and a half it was under Democratic control, and a year and a half after that I believe it was under Republican control from which I tried to resign and they would not let me.

Mr. WILBUR H. HAMILTON. Mr. Speaker, apparently it is a dark secret which party was in control when the gentleman was affiliated with the state government as an employe. I am quite certain it was not the efficient, honest Republican party that has had control of Pennsylvania in recent years.

SPECIAL ORDER ON SENATE BILL 410

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 410 as follows

An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" is hereby amended to read as follows

Section 3 Organization of Council

* * * * *

(e) The Council when created shall be a departmental administrative board within the Department of Military Affairs and shall be subject to the provisions of The Administrative Code of 1929 the act of April ninth one thousand nine hundred twenty-nine Pamphlet Laws 177 as amended which apply generally to departmental administrative boards and commissions except as in this act otherwise provided

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, as a member of the State Council of Civil Defense, I can say that there is no objection to this bill. There is nothing to be gained, nothing to be lost. It will probably cost the Military about $5,000 a year more to administer the change than it is now costing the State Council, but there is no objection upon the part of the State Council to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Alexander,	Greenwood,	McDermit,	Scott,
Amarando,	Guss,	McInroy,	Shotwell,
Andrews,	Gutendorf,	McWherter,	Smith, W. B.,
Ashton,	Guthrie,	Metz,	Snider,
Banker,	Hall,	Mihm,	Stank,

Bomberger,	Hamilton, R. K.,	Mikula,	Stimmel,
Boory,	Helm,	Moody,	Stone,
Bower,	Jenkins,	Moore,	Sucher,
Brown,	Jim,	Moran,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cioffi,	Jones, Gran'le E.	Murray, P. G.,	Varner,
Clapper,	Kamyk,	Ogilvie,	Verona,
Comer,	Keller,	Olsen,	Wall,
Connelly,	Kent,	Parlante,	Walsh
Conner,	Kerlin,	Petrosky,	Wargo,
Cooper,	Kohl,	Pfaff,	Waterhouse,
Coyle,	Kornick,	Polaski,	Weidner,
Dougherty,	Kubacki,	Polen,	Wheeler,
Down,	Leisey,	Quisenberry,	White,
DuBois,	Leonard,	Ragot,	Whitenight,
Dunn,	Light,	Readinger,	Willaredt,
Ewing,	Limper,	Reagan,	Williams,
Farabaugh,	Lippincott,	Richter,	Wood,
Fenrich,	Lopresti,	Rovansek,	Yeakel,
Ferster,	Lovett,	Royer,	Yetzer,
Filo,	Lutty,	Rubin,	Young,
Flack,	Maguire,	Sarraf,	Zeitz,
Fleischman,	Mahan,	Schmidt,	Ziegler,
Flynn,	Markley,	Schuster,	Smith, C. C., Speaker
Geer,	McCann,		

NAYS—61

Adam,	Glick,	Leven,	Price,
Auker,	Goodling,	Mathews,	Reidenbach,
Barkdoll,	Gramlich,	McCormack,	Shoemaker,
Bazin,	Hamilton, W. H.,	McCullough,	Spencer,
Bear,	Harris,	McGee,	Stoner,
Bolton,	Haudenshield,	Miller,	Strausser,
Breisch,	Hersch,	Mills,	Taylor,
Bullen,	Hewitt,	Monroe,	Toll,
Capano,	Hocker,	Moscrip,	Tompkins,
Curwood,	Jump,	Musto,	Toomey,
Davis,	Kolankiewicz,	Needham,	Vaughan,
Downey,	Kratz,	Peifly,	Wallace,
Frost,	Kromer,	Peta,	Welsh,
Gibson,	Lafore,	Phillips,	Wescott,
Gleason,	Lederer,	Poltenstein,	Whalley,
			Wilt,

NOT VOTING 34

Baumunk,	Erb,	Kline,	Schwartz,
Blair,	Floyd,	Maxwell,	Seyler,
Boles,	Hoggard,	Munley,	Stevenson,
Breth,	Ide,	Naugle,	Varallo,
Cianfrani,	Jones, Paul F.,	Pettigrew,	Watkins,
Cochran,	Jones, T. H. W.,	Rosen,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SPECIAL ORDER ON SENATE BILL 416

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 416 as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XVII of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and othere executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof a new section to read as follows

Section 1711 Milk Sanitation The Department of Agriculture shall have the power and its duty shall be

(a) to enforce administer and carry out the provisions of the act approved the second of July one thousand nine hundred thrity-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties"

(b) To perform all duties and exercise all powers vested by such law or any other law in the Department of Health the Secretary of Health or the Advisory Health Board and relating to the protection of the purity and sanitation of milk for human consumption

Section 2 All powers and duties of the Department of Health the Secretary of Health and the Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption are hereby transferred to and hereafter shall be exercised by the Department of Agriculture and the Secretary of Agriculture

Section 3 This act shall not affect any rules regulations orders or permits issued action taken or contract made by the Department of Health Secretary of Health or Advisory Health Board prior to the effective date of this act Nor shall this act affect any pending action civil or criminal brought by or against the Department of Health or its officers but such action may be prosecuted or defended by the Secretary of Agriculture as if originally brought by or against him

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate

the gentleman from Centre, Mr. Frost, Chairman of the Committee on Public Health and Sanitation.

The SPEAKER. Will the gentleman from Centre, Mr. Frost permit himself to be interrogated?

Mr. FROST. I shall, Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman if he knows what funds if any would be saved by making this transfer from the Department of Health to the Department of Agriculture.

Mr. FROST. That is in connection with Senate Bill 416?

Mr. READINGER. We desire to know if the gentleman has any estimate or knowledge of the amount of funds which might be saved to the Commonwealth by changing the sanitation duties from the Department of Health to the Department of Agriculture under this bill.

Mr. FROST. Mr. Speaker, the question the gentleman asks is asked in connection with Senate Bill 416, is it not?

Mr. READINGER. Are we not on Senate Bill 416, Mr. Speaker?

The SPEAKER. We are now on Senate Bill 416, page 6, of today's calendar.

Mr. FROST. If it is agreeable to Mr. Readinger, I would like to yield to Mr. Light. I do not know the details of this bill. It was not in my Committee, and I yield to Mr. Light.

Mr. READINGER. I will be glad to interrogate Mr. Light.

The SPEAKER. Will the gentleman from Lebanon, Mr. Light, permit himself to be interrogated?

Mr. LIGHT. I shall, Mr. Speaker.

Mr. READINGER. Is the gentleman on the Committee on Public Health and Sanitation?

Mr. LIGHT. Mr. Speaker, I am not on Public Health and Sanitation. I am on the Committee on Agriculture.

Mr. READINGER. Would the gentleman tell me if he knows what funds are estimated to be saved, if any are to be saved by this transfer?

Mr. LIGHT. For the year ending December 31, 1952, the Department of Health received $769,000 from the federal government for general health work, and out of that they allocated $100,000 to milk sanitation.

Mr. READINGER. Does the gentleman mean by that that $100,000 would be saved if this bill were passed?

Mr. LIGHT. No, the provision on the part of the federal government is that at least 50 percent of the money that is allocated to sanitation must be met by the Commonwealth of Pennsylvania, and the audit of 1952, by the Auditor General shows that the Commonwealth had exceeded its appropriations for that purpose by more than 100 percent of $100,000.

Mr. READINGER. Would the gentleman please specifically answer my question as to whether there will be any funds, any actual money saved by this transfer. At the moment I am not interested in how much it has been costing to furnish these services under the Department of Health; I would like to know if any money can be saved.

Mr. LIGHT. Mr. Speaker, because of the duplication between the Department of Health and the Department of Agriculture, it is assumed—I have no figures on this, but in conference with the Secretary of Agriculture, it is felt that it would not take $100,000, possibly $50,000, possibly not that much, to do the work of the Department of Health in the Department of Agriculture.

Mr. READINGER. Can the gentleman tell me if any lesser number of persons will be engaged in this particular work if this transfer is made?

Mr. LIGHT. Mr. Speaker, the Department of Health has 18 persons employed as inspectors on milk sanitation, and there are 600 persons employed by the milk companies of Pennsylvania who are out in the field making sanitary inspections. Those people are paid by the milk companies, I am informed.

The Department of Agriculture has 30 men out in the field in their inspection work, and they duplicate—they get into practically all the places the other inspectors go. It is presumed and supposed that those same people who are now doing work for the Department of Health, for the milk companies of Pennsylvania, would also do the work for Agriculture.

Mr. READINGER. May I ask the gentleman how many years the Department of Health has been handling this type of sanitation work?

Mr. LIGHT. I cannot tell you exactly. I think it is about since 1931, about 20 years.

Mr. READINGER. Would the gentleman then say that over all those years there has been a duplication and a waste because this particular legislation has not been passed?

Mr. LIGHT. For the last twenty years the milk cooperatives and the people who are milk dealers and milk suppliers have contended for this change.

Mr. READINGER. Could the gentleman tell me whether or not there would be a conflict of interest as far as the consuming public's health is concerned between the Department of Agriculture and the Department of Health?

Mr. LIGHT. Mr. Speaker, I do not realize that any such condition can exist, for the reason that the relation between the Department of Health, the Department of Agriculture, and the federal departments that are involved in regulation in Pennsylvania has always been of the most amicable nature. I do not see that there could be any situation whereby feeling might rise between Departments which would injure the work of the new Department.

Mr. READINGER. May I ask the gentleman if the Department of Agriculture does not supervise the production of milk? Is that in the jurisdiction of the Department of Agriculture, to supervise the production of milk?

Mr. LIGHT. The Department of Agriculture does not supervise the production of milk. It supervises the herds of the state, and they issue licenses to milk plants—two kinds of licenses. They issue licenses to plants to manufacture ice cream. They issue licenses to milk plants that handle milk products. They issue licenses to the milk plants wherein manufactured milk is produced in different types, chocolate milk, and all types of drinks, colored drinks, are inspected and checked by the Department of Agriculture.

Mr. READINGER. Will any Federal funds allocated to Pennsylvania be lost to the Commonwealth if this measure is passed?

Mr. LIGHT. Mr. Speaker, it is not so assumed. The matter was checked up with the Department of Health through the Auditor General, and there is no presumption at all that any money will be lost because the federal government does not allocate this money for sanitation. It allocates it to the Department of Agriculture under Public Law 416 of the 78th session, and the Department of Health allocates, or turns over to the sanitation division $100.000.

Mr. READINGER. Can the gentleman tell me whether the Public Health Department has been performing any functions which are not duplicated by the Department of Agriculture in relation to this milk sanitation?

Mr. LIGHT. Mr. Speaker, the object of the Department of Health in checking milk plants is to see to it that sanitary conditions prevail around the place, and the same thing is checked by the Department of Agriculture, as far as they go. The Department of Agriculture finds cheese and other things on the market. They follow back into the manufacturing plants and check up and see to it that there is not only a sanitary condition but that things are manufactured properly. The Deparment of Agriculture checks all the bakeries in Pennsylvania, and they check all the manufacturing that enters into the production of food. They check the food in every line.

Mr. READINGER. What I am particularly trying to find out is whether the Department of Agriculture is charged with the performance of the same duties as far as milk sanitation is concerned as the Department of Health is charged. Are they both charged with the same duty?

Mr. LIGHT. To answer the gentleman's question, they are not charged with the same duty, but it so happens that the Department of Health checks sanitation in the production of milk, and the Department of Agriculture checks the milk plants,and anyone coming from another state into Pennsylvania when they check on sanitation they first come to the Department of Agriculture to determine whether the herds are free of disease, and whether milk is produced under certain conditions. The people who check on sanitation, check the milk shippers from out of the state, the milk companies from New York State, and New Jersey, and Maryland, when they come into Pennsylvania, they check all milk producing places, the farms that produce milk, and the milk must be produced under certain sanitary conditions. The Department of Health comes along with their 18 inspectors about one or twice a year and checks over what 600 people who are employed by the milk companies check.

Mr. READINGER. May I ask one further question of the gentleman. Has he consulted the head of the Department of Health, the Secretary of Health concerning whether he desires this change to be made or opposes it?

Mr. LIGHT. Mr. Speaker, I have not spoken to the Secretary. I have spoken to Mr. Richards. I discussed the matter with him, and I did not ask him whether they would prefer to have this change made. That was hardly the object of my visit. I went to find out how they conducted their work and I wanted to get information. I did not go to ask him whether they would like or would not like this.

Mr. READINGER. Does the gentleman know whether the Secretary of Health opposes this measure?

Mr. LIGHT. I do not know. He has not spoken to me.

Mr. READINGER. I thank the gentleman.

Mr. LIGHT. Mr. Speaker, I would like to say to the Members of the House that this too is a Chesterman Bill, and the aims that are proposed by the Chesterman Report on matters that have been the concern of milk cooperatives and farm organizations for the last 30 years, and to show you who endorses this transfer, I can only refer to the organizations and to those who have felt for years and years that because of the duplication, this work could all be done in the Department of Agriculture.

Senate Bill No. 416, which is under discussion, aims to amend Act 210 of the 1935 session by adding a new section on milk sanitation. I have no doubt some of the Members are very familiar with this.

The only thing that this bill does is to lift part of it out of the Department of Health, the milk sanitation law, and place it over into Agriculture.

There have been issues raised but this discussion has never come to a head where we could discuss the matter fully, and I want to point out that the Department of Agriculture is the proper place for this particular work. I do that because the Department of Agriculture now has in its charge the enforcement of all the food laws. I would like to mention a few to the gentleman from Berks, and in addition to what I have said, the Department of Agriculture enforces the meat and the food products law.

It enforces the sausage law, which has nothing to do with milk. It enforces the ice cream law. It enforces the condensed, concentrated and evaporated milk law. It issues licenses to every milk plant in Pennsylvania. It inspects every ice cream plant. It runs bacteria tests when samples are necessary.

The Department is responsible for the inspection of all bakeries, as I have stated, and the canneries. It enforces the Oleomargarine Law and the Milk Dispenser Law that this House passed in 1951.

I would lke to say that there have been rumors around the House and questions asked about what this will do. I have already stated to the gentleman from Berks that the federal government in 1952 allocated to the Department of Health $767,000 and out of that, $100,000 was paid for milk sanitation purposes.

More than 100 percent of what the Health Department gave to sanitation was provided in addition to that provided by the Commonwealth of Pennsylvania.

The expenditures of the Commonwealth to meet the federal allotments for milk sanitation purposes, according to what I have seen, apparently would be available for other general health purposes if they were needed.

I want to point out especially that inasmuch as the Department of Agriculture has been in this field of inspection ever since the enactment of the pure food laws, and since it is involved in every kind of pure food inspection, and since it inspects most of the milk now, there is no reason why it could not easily take along milk sanitation. It is in that very field now.

There is another thought that should not be forgotten. In these progressive days there appear on the market most every day, every week or every month, new products in which milk is involved, all kinds of different drinks. Most of these new drinks are sold by the milk peddlers on the streets. They are a part of the sales of milk.

The Department of Agriculture is the Department in the state of Pennsylvania that checks all those things. For that very reason, I think like all the people do, that the milk industry naturally belongs to the Department of Agriculture.

Mr. Speaker, I think the only question is this, that there would not be any change at all in operaton. Those 600 milk inspectors that are paid by the milk companies would likely all stay in the field because the milk companies would continue the inspection.

The dairy farms of Pennsylvania are also inspected, as I said, by people outside of the state. In the field of plant inspections, I have told you that the Department of Agriculture is now everywhere. The Department of Agriculture

issues two different kinds of licenses, as I have told you.

I realize that everybody is tired and I cannot blame anybody for being tired and for being restless, even though the minority Leader may not be tired, the rest are.

I would like to say that this has been a contention on the part of the milk people for years and years, and I think this is one occasion when the House of Representatives of Pennsylvania can come to the aid of the people who have wanted this relief for a long time.

We find no fault with what the Health Department has done. The associations between the Department of Health and the Department of Agriculture, when I was in Agriculture, were of the best. I know there has been no change. I do not think that is an issue at all. I think that same cooperaton will continue all the time.

Just a minute and I will be through. There are some reasons why I think this should be especially supported. The State Senate passed this bill by a vote of 48-0. The farm organizatons of Pennsylvania are for it 100 percent. The farm cooperatives that favor it include the Interstate Milk Producers Association, Dairymen Cooperative Association, the Dairymens League, the Pennsylvania Farm Bureau, Lehigh Valley Cooperative, and all others.

The Pennsylvania State Council is composed of 40 farm organizations, and they favor it. The State Council and the executive board of these bodies had a meeting on April 17 and approved it and recommended it.

I hope that every Member will vote for the bill.

Mr. READINGER. Mr. Speaker, I think the gentleman from Lebanon should not apoligize to the Members. That is one of the most intelligent debates and discussions of a subject I have heard in this House for a long time. I am not apologizing either for having asked the questions which brought about some of the gentleman's remarks. I think we owe him a debt of gratitude in enlightening us so much about this bill.

These bills are important, and while it is late, we either work or we do not work. As long as we are here I think we should give our attention and listen to what he has to say. I had intended originally to vote against this bill, thinking that there would be no real saving. Not having any farm districts in my area I was no too well acquainted with what the Grange might want or the farmers' organizations and so forth. But the gentleman in his remarks has convinced me that this is a possible way of saving some money and that there will be no lack of devotion to duty on the part of the Department of Agriculture in seeing that our milk is fit for consumption. I intend now to vote for this bill.

Mr. ANDREWS. Mr. Speaker, I agree with the gentleman from Lebanon. I hope every Member votes for this bill. Some of the Chesterman Committee bills make sense. This is one of them.

Mr. GEORGE E. JONES. Mr. Speaker, in 1929 I came into this House, and one of the reasons I came here was on account of the duplication of inspection of milk. I was, at that time, a small ice cream manufacturer, and I had to pass inspection for the milk and then also had to pass an inspection by the Department of Agriculture. We bought our ice cream license from the Department of Agriculture and, as I said, that was one of my reasons for coming here.

One day—I will not say which one it was—but one day one of those fellows came in there and he said: "What kind of soap do you wash your ice cream freezer with?" Well, I said, "I use just good soap." "Oh," he said, "you can't do that." And he specified a certain brand that I had to use. And I said "Who makes this ruling?" Now this is the way it was before 1935. Then I said "Whom do you work for, the state or the soap company?" And you know, he did not bother me much more after that.

I think this a good bill and everyone should vote for it.

Mr. SARRAF. Mr. Speaker, I realize this is very important to our farmers and our boys in the agricultural field. I admire your position and I am not going to take much time.

In my humble opinion, anything that especially deals with the purity and the sanitation of milk for human consumption should be absolutely in the Health Department. This has nothing to do with cheese and ice cream and other commodities for ingestion. This deals specifically with human consumption of milk, and the Health Department, in my opinion, is the most important place to keep that function.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adam,	Gibson,	Mahan,	Schuster,
Alexander,	Gleason,	Markley,	Schwartz,
Amarando,	Glick,	Mathews,	Scott,
Andrews,	Goodling,	Maxwell,	Seyler,
Ashton,	Gramlich,	McCann,	Shoemaker,
Auker,	Greenwood,	McCormack,	Shotwell,
Banker,	Guss,	McCullough,	Smith, W. B.,
Barkdoll,	Gutendorf,	McDermit,	Snider,
Baumunk,	Guthrie,	McGee,	Spencer,
Bazin,	Hall,	McInroy,	Stank,
Bear,	Hamilton, R. K.,	McWherter,	Stevenson,
Blair,	Hamilton, W. H.,	Metz,	Stimmel,
Bolton,	Harris,	Mikula,	Stone,
Bomberger,	Haudenshield,	Miller,	Stoner,
Boory,	Helm,	Mills,	Strausser,
Bower,	Hersch,	Monroe,	Sucher,
Breisch,	Hewitt,	Moody,	Taylor,
Breth,	Hocker,	Moore,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Toll,
Buchanan,	Johnson,	Munley,	Tompkins,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.	Murray, P. G.,	VanSant,
Cioffi,	Jones, Paul F.,	Naugle,	Varallo,
Clapper,	Jones, T. H. W.,	Needham,	Varner,
Comer,	Jump,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kline,	Peta,	Walsh,
Curwood,	Kohl,	Petrosky,	Wargo,
Davis,	Kolankiewicz,	Pfaff,	Waterhouse,
Dougherty,	Kornick,	Phillips,	Weidner,
Down,	Kratz,	Polaski,	Welsh,
Downey,	Kromer,	Polen,	Wescott,
DuBois,	Kubacki,	Poltenstein,	Whalley,
Dunn,	Lafore,	Price,	Wheeler,
Erb,	Lederer,	Quisenberry,	White,
Ewing,	Leisey,	Ragot,	Whitenight,
Farabaugh,	Leonard,	Readinger,	Willaredt,
Fenrich,	Leven,	Reagan,	Williams,
Ferster,	Light,	Reidenbach,	Wilt,
Filo,	Limper,	Richter,	Wood,
Flack,	Lippincott,	Rosen,	Yeakel,
Fleischman,	Lopresti,	Rovansek,	Yetzer,
Flynn,	Lovett,	Royer,	Young,
Frost,	Lutty,	Rubin,	Zeitz,
Geer,	Maguire,	Speaker	Ziegler,
			Smith, C. C.,

NAYS—6

Kamyk,	Moran,	Sarraf,	Schmidt,
Mihm,	Musto,		

NOT VOTING—9

Boles,	Floyd,	Ide,	Watkins,
Cianfrani,	Hoggard,	Pettigrew,	Worley,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

QUESTION OF PERSONAL PRIVILEGE

Mr. MAXWELL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MAXWELL. Mr. Speaker, first I wish to apoligize for being slightly late for this evening's session. Secondly, for the gentleman's information from Allegheny County and also for the information of the other Members of this House, I would like to have them know that just recently I underwent an operation. I am still under the doctor's care. If you would like affidavits to that effect, Mr. Greer, I will gladly produce them.

This evening after I ate my dinner I had a slight attack—a recurrence of my trouble. That is the reason that I was not in the Session on time.

SPECIAL ORDER ON SENATE BILL 412

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 412 as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Department of Commerce and terminating the terms of its officers and employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue and Department of Public Assistance [and Department of Commerce] and by the following independent administrative boards and commissions Pennsylvania Game Commission Pennsylvania Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 As much of section 202 of said act as applies to the Department of Commerce is hereby repealed

Section 3 Section 206 of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employee of the Department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the administrative departments following their respective titles

Secretary of the Commonwealth of the Department of State

Attorney General of the Department of Justice

Auditor General of the Department of the Auditor General

State Treasurer of the Treasury Department

Secretary of Internal Affairs of the Department of Internal Affairs

Superintendent of Public Instruction of the Department of Public Instruction

Adjutant General of the Department of Military Affairs

Insurance Commissioner of the Insurance Department

Secretary of Banking of the Department of Banking

Secretary of Agriculture of the Department of Agriculture

Secretary of Forests and Waters of the Department of Forests and Waters

Secretary of Mines of the Department of Mines

Secretary of Highways of the Department of Highways

Secretary of Health of the Department of Health

Secretary of Labor and Industry of the Department of Labor and Industry

Secretary of Welfare of the Department of Welfare

Secretary of Property and Supp ies of the Department of Property and Supplies

Secretary of Revenue of the Department of Revenue

Secretary of Public Assistance of the Department of Public Assistance

[Secretary of Commerce of the Department of Commerce]

Section 4 Subsection (a) of section 207 of said act as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows.

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint.

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry the Secretary of Welfare the Secretary of Property and Supplies the Secretary of Revenue the Secretary of Public Assistance [the Secretary of Commerce] and the members of all independent administrative boards and commissions.

The Adjutant General may have the rank of Major General of the Adjutant General's Department in the Pennsylvania National Guard or Pennsylvania Guard or the Governor may designate the ranking line officer of the Pensylvania National Guard or Pennsylvania Guard or an officer of the Regular Army United States Navy United States Coast Guard or United States Marine Corps as Adjutant General Provided That should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for the Adjutant General And provided further That should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard Pennsylvania Guard or equivalent length of service in the Regular Army of the United States United States Navy United States Coast Guard or United States Marine Corps or Officers Reserve Corps of the United States Army United States Navy Reserve United States Coast Guard Reserve or United States Marine Corps Reserve which service may be cumulative that is service in any one or more of the foregoing services may be added together

The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed

Section 5 Section 209 of said act as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor twenty-five thousand dollars

To the Lieutenant Governor fifteen thousand dollars

To the Secretary of the Commonwealth fifteen thousand dollars

To the Attorney General fifteen thousand dollars

To the Auditor General fifteen thousand dollars

To the State Treasurer fifteen thousand dollars

To the Secretary of Internal Affairs fifteen thousand dollars

To the Superintendent of Public Instruction fifteen thousand dollars

To the Adjutant General fifteen thousand dollars

To the Insurance Commissioner fifteen thousand dollars

To the Secretary of Banking fifteen thousand dollars

To the Secretary of Agriculture fifteen thousand dollars

To the Secretary of Forests and waters fifteen thousand dollars

To the Secretary of Mines fifteen thousand dollars

To the Secretary of Highways fifteen thousand dollars

To the Secretary of Health fifteen thousand dollars

To the Secretary of Labor and Industry fifteen thousand dollars

To the Secretary of Welfare fifteen thousand dollars

To the Secretary of Property and Supplies fifteen thousand dollars

To the Secretary of Revenue fifteen thousand dollars

To the Secretary of Public Assistance fifteen thousand dollars

[To the Secretary of Commerce fifteen thousand dollars]

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 6 Article XXV-B of said act is hereby repealed

Section 7 The Department of Commerce as now constituted is hereby abolished and the terms of its officers and employes are hereby terminated as of the effective date of this act

Section 8 All books papers maps charts plans and other records all equipment furniture and furnishings and all space in any buildings owned or leased by the Commonwealth in the possession of the Department of Commerce or any of its officers on the effective date of this act shall be delivered and turned over to the Department of Property and Supplies to be stored sold or destroyed or distributed among other departments boards or commissions having need therefor in accordance with the provisions of the act to which this is an amendment

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

Mr. READINGER. Mr. Speaker, I rise to oppose this motion to recommit. If we are ever in the mood to commit murder, it is tonight. I think we should keep this bill out and vote on it.

Mr. JOHNSON. Mr. Speaker, I ask for a roll call.

Mr. HOCKER. Mr. Speaker, I second the request for a roll call.

MOTION TO RECOMMIT WITHDRAWN

Mr. GIBSON. Mr. Speaker, in view of the rather poignant attitude of the House tonight, perhaps it would be better to withdraw the motion to recommit the bill.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, this bill is a mixed blessing. Pennsylvania needs a Department of Commerce, but it does not need the Department of Commerce it now has.

The morale of the Department under present management has dropped to a level unparalleled in the administrative history of Pennsylvania. The Department of Commerce as now constituted is a center of feuds, bickerings and espionage.

The situation has developed to the point where the Admiral in charge of the Department calls his subordinates to task because they talked to somebody he does not like. The Department is wholly disrupted. It is inactive. It deserves destruction, liquidation.

On the other hand, Pennsylvania does need a Department of Commerce, not a Department of Commerce spread all over the map, but a Department of Commerce charged solely with the task of the industrial development of our Commonwealth.

It had been my hope, Mr. Speaker, that the bill abolishing the present Department, which has ceased to deserve a right to live, would be accompanied by another bill creating a new Department which would have jurisdiction solely over the activity that a Department of Commerce in this state should have.

So I say this bill is a mixed blessing. It destroys a Department, I repeat, that should be destroyed, but it leaves us without a Department for which there is a vital need in Pennsylvania. There has been a lot of talk about the possibility of industrial concerns moving out of our state, a lot of talk about bringing industrial concerns into our state, but there is no agency, if we destroy this Department and do not create a new one, that will coordinate the activities of the State Chamber of Commerce, the local Chambers of Commerce and all the other agencies that are working to promote the industrial development of our Commonwealth.

I hope, Mr. Speaker, that if this House in its wisdom liquidates the present Department of Commerce, that it will very shortly create a new Department with a proper commission.

Mr. WALLACE. Mr. Speaker, I beg to differ with our Minority Leader. He mentioned the fact that we need a Department of Commerce, and then he says that we do not need a Department of Commerce.

He mentioned the Admiral who is leading that Department. I would like to extol that man for his leadership. He comes from my county and I know what a leader he is. When it comes to industrial companies coming in, especially now when the coal fields are a distressed area, I think the Department of Commerce needs more of a boost, more of a push, by the Members of this House and the Members of the Senate to give us what we need in the coal fields.

Industry after industry has been coming into our valley for the last six months, and whom do I give it credit to? The Admiral that so many of our Members are hateful of. The persons he has working in the Department of Commerce, I do not know who they are or what they are, but I do know that this Admiral that is leading them is the kind of a man we want more of in this state. His leadership, his statesmanship, the thousands and I would say millions of dollars that he has donated to the people in Luzerne County and to our state, to our educational institutions—that is the kind of leadership we want in this state.

I beg the Members of this House, let us keep the Department of Commerce right where it is.

Mr. ANDREWS. Mr. Speaker, the gentleman failed to understand my intent. I was not speaking of the head of the Department in absentia. I was speaking of the Admiral who serves in the absence of the head of the Department.

Mr. SCHMIDT. Mr. Speaker, I have been trying to gather from this group of bills dealing with the Department of Commerce just where the intended saving is to be gained as a result of the abolition of this Department.

The bill at hand of course is Senate Bill 412 which directly deals with the abolition of the Department. You then go over to Senate Bill 521 which is part of this package, and you find that you transfer the State Planning Board from the Department of Commerce to the Department of Internal Affairs, a Department which I understand the Chesterman Committee likewise wanted to abolish and change the membership of the board.

Then you go to Senate Bill 520 which provides for the transfer of the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

Then you go from Senate Bill 520 to Senate Bill 519 and you also provide for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission, again maintaining the work of the Department of Commerce but transferring it from the Department of Commerce into the Department of Internal Affairs with appropriations that have been carried in the Department of Commerce and increasing the powers of the Department of Internal Affairs which I just said the Chesterman Committee endeavored to wipe out.

I also notice here that Senate Bill 522 transfers to the Department of Internal Affairs and the Department of Highways the authority to conduct certain promotional activities of the Commonwealth which were promoted by the Department of Commerce.

You are actually maintaining all of the services of the Department of Commerce. You are taking it out of the Department of Commerce; you are putting it into these other Departments, and then you say we are going to save some money for the Commonwealth of Pennsylvania.

If all these various functions that are now being transferred to these different Departments have to do with increasing the commerce of the Commonwealth of Pennsylvania, we are a real commonwealth among the commonwealths and states and we can afford and should have a Department of Commerce.

If the trouble is with the head of the Department, it should not be our purpose to wipe out the Department. That is a matter for the Chief Executive of this Commonwealth who has the control over the heads of his different Departments. You saw the recent dismissal from one of the Departments because the Chief Executive was not satisfied with the functioning of that Department.

If the trouble is with the functioning of the Department, the head of the Department, the person to change him is the Chief Executive, and not by legislative fiat as we are trying to do in this bill.

I am opposed to the bill.

Mr. MORAN. Mr. Speaker, I am a little confused with this bill 412 and also 411. I wish somebody would explain them to me. I do not know whom to interrogate. I do not know if anyone is able to be interrogated at this time of night. But I would like someone to answer the question, why we should abolish the Department of Commerce in one bill, that is Senate Bill 412, and in Senate Bill 411 the balance of their appropriation is transferred to the Department of Commerce. Now if this bill puts the Department of Commerce out of commission why do we need 411?

The SPEAKER. Is there any Member who would care to explain this bill to the gentleman?

Mr. JOHNSON. Mr. Speaker, I will just make a very short explanation. Senate Bill 411 repeals the so-called Commerce Act and 412 abolishes the Department of Commerce. Of necessity the abolition of the Department had to be made in two bills. The one is dependent upon the other.

Mr. MORAN. Mr. Speaker, I cannot make sense out of this at all. You are going to abolish a Department and later on you come along with a bill and you are going to transfer their appropriation in another Department; and the Department is abolished if 412 is not defeated. This is just as clear as mud to me.

Mr. READINGER. Mr. Speaker, not being sleepy, I will stick my neck out. The gentleman is reading the title to Senate Bill 411, which was an Act of 1939 and at that time certain appropriations were transferred to the Department of Commerce. If he would read the first line of that Senate Bill, he would see that we are now voting or will shortly be voting on a bill to repeal that Act. Senate 412, is simply a change in the Administrative Code which now provides for a Department of Commerce, by changing the Code to abolish the Department of Commerce. We are repealing one act by which the Department was set up and transferring the appropriations to another.

Mr. GEORGE E. JONES. Mr. Speaker, I will just be a minute. The Department of Commerce was originated in my first term in this House, and it had a good purpose.

This bill was originated in 1939—my first term in the House. The purpose of the bill as I understood it then was to advertise Pennsylvania. Pennsylvania is not just a little one-horse business. It is a big business, and we need this kind of a Department. I am going to agree with the gentleman over here. If we do not have the proper management we have a right to find out why we do not have. We need a Department of Commerce very badly. They advertise the state all over and I think we should vote to keep this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—75

Andrews,	Guss,	Mahan,	Richter,
Ashton,	Hall,	Maxwell,	Rovansek,
Barkdoll,	Haudenshield,	McCann,	Sarraf,
Bazin,	Hocker,	McCormack,	Schuster,
Bear,	Jenkins,	McCullough,	Scott,
Bolton,	Johnson,	McDermit,	Smith, W. B.,
Bower,	Jones, Paul F.,	Metz,	Stank,
Brown,	Kamyk,	Mihm,	Stone,
Bullen,	Kent,	Moody,	Thomas,
Capano,	Kerlin,	Moran,	Toomey,
Connelly,	Kornick,	Moscrip,	Walsh,
DuBois,	Kratz,	Murray, J. J.,	Wheeler,
Dunn,	Kubacki,	Ogilvie,	White,
Fenrich,	Lafore,	Olsen,	Willaredt,
Filo,	Leonard,	Peifly,	Wood,
Fleischman,	Lippincott,	Petrosky,	Yeakel,
Geer,	Lopresti,	Polaski,	Young,
Goodling,	Lovett,	Ragot,	Ziegler,
Greenwood,	Lutty,	Readinger,	Smith, C. C., Speaker

NAYS—99

Alexander,	Gleason,	McWherter,	Spencer,
Amarando,	Glick,	Mikula,	Stevenson,
Auker,	Gramlich,	Miller,	Stimmel,
Banker,	Gutendorf,	Mills,	Stoner,
Baumunk,	Guthrie,	Monroe,	Strausser,
Bomberger,	Hamilton, R. K.,	Moore,	Sucher,
Boory,	Hamilton, W. H.,	Muldowney,	Taylor,
Breisch,	Harris,	Munley,	Thompson,
Bucchin,	Helm,	Musto,	Toll,
Buchanan,	Hersch,	Needham,	Tompkins,
Cioffi,	Hewitt,	Parlante,	VanSant,
Clapper,	Jim,	Peta,	Varner,
Comer,	Jones, Geo. E.,	Phillips,	Vaughan,
Conner,	Jones, Gran'le E.,	Polen,	Wall,
Cooper,	Jump,	Poltenstein,	Wallace,
Coyle,	Kohl,	Price,	Wargo,
Curwood,	Kolankiewicz,	Quisenberry,	Waterhouse,
Davis,	Lederer,	Reidenbach,	Weidner,
Dougherty,	Leisey,	Rosen,	Welsh,
Down,	Leven,	Schmidt,	Whalley,
Downey,	Maguire,	Schwartz,	Whitenight,
Flack,	Markley,	Shoemaker,	Williams,
Flynn,	Mathews,	Shotwell,	Wilt,
Frost,	McGee,	Snider,	Zeitz,
Gibson,	McInroy,		

NOT VOTING—34

Adam,	Ferster,	Light,	Rubin,
Blair,	Floyd,	Limper,	Seyler,
Boies,	Hoggard,	Murray, P. G.,	Varallo,
Breth,	Ide,	Naugle,	Verona,
Cianfrani,	Jones, T. H. W.,	Pettigrew,	Watkins,
Cochran,	Keller,	Pfaff,	Wescott,
Erb,	Kline,	Reagan,	Worley,
Ewing,	Kromer,	Royer,	Yetzer,
Farabaugh,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASON FOR VOTE

Although I do not agree that the Department of Commerce is presently operated with a high degree of efficiency, the reason for its being is generally in the good of the Commonwealth and for this later reason I voted to maintain the Department of Commerce with the fervent hope that it will be reorganized and ultimately attain a high degree of efficiency.

BILLS RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I might say by way of explanation that the information I have is that if Senate Bill 412 which we have just voted on is defeated, the remaining bills in the Department of Commerce category should be dropped and sent back to committee.

The bill having been defeated, I, therefore, move that Senate Bill 411, Printer's No. 130, Senate Bill 518, Printer's No. 187, Senate Bill 519, Printer's No. 188, Senate Bill 520, Printer's No. 189, Senate Bill 521, Printer's No. 190, Senate Bill 522, Printer's No. 191 be recommitted to the Committee on State Government.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, by agreement with Majority and Minority Floor Leaders, I move that the vote by which Senate Bill 327, Printer's No. 59, entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certian other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making the Pennsylvania Historical and Museum Commission a departmental administrative commission in the Department of Public Instruction and prescribing its powers and duties

was recommitted to the Committee on State Government be reconsidered.

Mr. READINGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on recommitting this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on recommitting this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, since the House wants to have a recorded vote on all of the Chesterman Committee bills, that is perfectly in order and I will be glad to go along.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, by agreement with the Majority and Minority Floor Leaders I move that the vote by which Senate Bill No. 329, Printer's No. 46, entitled:

An Act abolishing the Department of Health and transferring its power and duties to the Department of Health and welfare

was recommitted to the Committee on State Government be reconsidered.

Mr. BOLTON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on recommitting this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Bolton, vote on recommitting this bill?

Mr. BOLTON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, by agreement with the Majority and Minority Floor Leaders I move that the vote by which Senate Bill No. 336, Printer's No. 53, entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania by making changes in the appointment and tenure of the Superintendent of Public Instruction

was recommitted to the Committee on State Government be reconsidered.

Mr. READINGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on recommitting this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on recommitting this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, by agreement with the Majority and Minority Floor Leaders I move that the vote by which Senate Bill No. 341, Printer's No. 58, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reoganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in

which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Health and Welfare; transferring to it the powers and duties of the Department of Health, Department of Welfare and Department of Public Assistance; providing for a Secretary of Health and Welfare; defining his powers and duties and abolishing the Department of Health, the Department of Welfare and the Department of Public Assistance.

was recommitted to the Committee on State Government be reconsidered.

Mr. READINGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on recommitting this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on recommitting this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that the only other Chesterman bill remaining on the calendar on page 4, Senate Bill 408, Printer's No. 127, entitled:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustee of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance.

be placed on the third reading postponed calendar.

The motion was agreed to.

ORDER OF BUSINESS PASSED OVER

The SPEAKER. If there are no objections, the Chair will pass over the order of business of Resolutions at this time because of the lateness of the hour. The Chair hears no objection.

ADJOURNMENT

Mrs. COYLE. Mr. Speaker. I move that this House do now adjourn until Thursday, June 11, 1953, at 11:00 a. m. EST.

The motion was agreed to, and (at 11:13 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., THURSDAY, JUNE 11, 1953. No. 50.

HOUSE OF REPRESENTATIVES

THURSDAY, June 11, 1953.

The House met at 11:00 a. m. E.S.T.

The Speaker (Charles C. Smith) in the Chair.

PRAYER

Reverend John Yates, Harrisburg, guest Chaplain, offered the following prayer:

Most gracious God we humbly pray Thee to bless and prosper the consultations of this Assembly so that their endeavors may advance peace and happiness and justice for the citizens of Pennsylvania. In Christ's Name we pray, Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, June 10, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, June 10, 1953, be postponed until the Journal is in print.

The motion was agreed to.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

Serial No. 135.

In the Senate, May 20, 1953.

Whereas, Under the date of May 21, 1951, Resolution, Serial Number 122, Legislative Journal, page 1764, was adopted by the Senate; and

Whereas, The said Resolution provided as follows:

"Whereas, The personal, family, social, medical, financial and related problems arising from the continued increase in the number and proportion of Pennsylvanians of advanced age are of growing magnitude; and

"Whereas, These problems are of such striking significance and so intricate as to warrant special and intensive attention by the Commonwealth; and

"Whereas, All aspects of this rise in the aging population presents the Commonwealth with increasingly serious social and human problems; now therefore be it

"Resolved, (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the State-wide needs and problems of the aging and the aged and to develop in cooperation with other governmental and voluntary groups ways and means to assist the Commonwealth in meeting these needs and problems and in such study the commission may appoint and consult with a Citizens Advisory Committee of competent lay and professional citizens who have demonstrated interests in and knowledge of the aging and the aged. Such study shall concentrate on the following:

"1. Employment opportunities for older persons.

"2. Facilities and services for the aged including; counseling and personal services, employment guidance and placement services, medical care services, institutional services, treatment and rehabilitation for the chronically ill, care of and rehabilitation for the disabled and the handicapped, recreation, education and related community services.

"3. Analysis of the problems of the aged receiving old-age assistance with special reference to the adequacy of grants and standards of living, boarding homes and other sheltered care for the indigent aged.

"4. Special attention to the problems of care and treatment of the senile aged.

"5. Study of other special needs as develop in the course of the study; and be it further

"Resolved, That the Joint State Government Commission shall report to the General Assembly on or before February first, one thousand nine hundred fifty-three, the results of its studies and investigations and recommendations."

Whereas, The study not being completed and the problem still being present, it is therefore

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to continue its study as provided in the 1951 Resolution as above set forth and to report to the General Assembly on or before February first, one thousand nine hundred fifty-five, the results of its studies and investigations and recommendations.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEE

Mr. VAUGHAN, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 466, entitled:

An act fixing the maximum hours of employment for members of the fire and police departments and uniformed officers and men employed as park guards in cities of the first class except in emergency cases.

Mr. VAUGHAN, from the Committee on Cities-Counties—First-Second and Second Class A, reported as amended, House Bill No. 880, entitled:

An Act requiring the district attorney of Philadelphia to devote his entire time to his office; prohibiting his

engaging in any other business, profession or occupation, rendering him ineligible to continue to hold his office for violation of the provisions of this act and increasing his compensation.

Mr. COOPER, from the Committee on Cities-Counties—First-Second Class A, reported as committed, House Bill No. 960, entitled:

An Act prohibiting the city solicitor of Philadelphia from engaging independent counsel in litigation or other legal work of the city; and prohibiting the payment from city funds therefor.

Mr. WILBUR H. HAMILTON, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 1204, entitled:

An Act to amend Section 1 of the act approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 131), entitled "An act requiring cities of the second Class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year, except in emergency cases," by further regulating minimum vacation periods.

Mr. RAGOT, from the Committee on Fisheries, reported as committed, House Bill No. 1218, entitled:

An Act to reenact and further amend Section 220 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the resident fishing license fee.

Mr. MATHEWS, from the Committee on Cities-Counties —First-Second and Second Class A, reported as committed, House Bill No. 1276, entitled:

An Act to amend Section 12 of the act, approved the second day of June, one thousand eight hundred seventy-one (P. L. 1301), entitled "An act to establish and maintain for the city of Philadelphia, a house of correction, employment and reformation for adults and minors," by authorizing judges or magistrates to discharge inmates whom they have committed.

Mr. MATHEWS, from the Committee on Cities-Counties —First-Second and Second Class A, reported as committed, House Bill No. 1277, entitled:

An Act to further amend the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven pensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of (P. L. 1743), entitled, as amended, "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their com-additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by fixing time for which dockets, books and papers of magistrates' courts shall be kept; establishing a Traffic Court of Philadelphia and prescribing the powers and duties and jurisdiction of said courts and the magistrates assigned thereto; providing for a seal for such court and the costs taxable therein; and repealing certain acts.

Mr. LEISEY, from the Committee on Banking and Building and Loan Associations, reported as amended, House Bill No. 1297, entitled:

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, association, or persons; restricting the exercise of banking powers by any other corporation, asosciation, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing foreign banking institutions to conduct certain business and enforce certain rights in this Commonwealth.

Mr. BOMBERGER, from the Committee on Motor Vehicles, reported as amended, House Bill No. 1330, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue.

Mr. McINROY, from the Committee on Fisheries, reported as committed, House Bill No. 1324, entitled:

An Act to further amend Section 20 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing fishing in streams, whether stocked with trout or not during closed season.

Mr. PARLANTE, from the Committee on Motor Ve-

hicles, reported as committed, House Bill No. 1390, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forgeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers, and semi-trailers; prescribing additional equipment requirements for certain vehicles; changing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; prescribing and changing penalties; providing for confiscation and sale of vehicles and the divertiture of titles, liens and encumbrances, in default of payment of certain fines, and for disposition of their loads, and imposing duties upon operators, owners, magistrates and sheriffs; changing the provisions for signs upon restricted highways; and changing the disposition of fines and penalties for violations of restrictions upon such highways.

Mr. SPENCER, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 1405, entitled:

An Act to amend Section 1 of the act, approved the twelfth day of June, one thousand nine hundred thirteen (P. L. 492) entitled "An act authorizing cities of the first and second class to compensate employees for time lost, while in the employ of the city, as a result of injuries, sickness or disablement of any kind sustained while in the performance of their duties," by excluding firemen in cities of the first class, from the provisions of this act.

Mr. MILLER, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 1416, entitled:

An Act to further amend Section 1 of Article XII of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by conforming the same to existing law; making the city treasurer an elective office.

Mr. HELM, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1441, entitled:

An Act to amend section eight hundred twenty decimal point one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon the payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by exempting certain vehicles from the requirement to be so constructed or equipped as to bar road surface substances from being thrown from their rear wheels.

Mr. RUBIN, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 1446, entitled:

An Act requiring cities of the first class to pay portions of their compensation heretofore withheld, to officers and men employed in the police department, fire department and park guards.

Mr. THOMPSON, from the Committee on Banking an Building and Loan Associations, reported as committed, Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of section 1208, and section 1209 of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking asosciations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments of savings banks.

Mr. CIOFFI, from the Committee on Fisheries, reported as amended, Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm pond licenses, regulating the use of such ponds and the terms of such licenses, and prescribing penalties.

Mr. MAHAN, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by redefining the term, share certificate, and further providing for the issuance and preservation of share certificates

Mr. GIBSON, from the Committee on Banking and Building and Loan Associations, reported as committed Senate Bill No. 259, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

Mr. WATERHOUSE, from the Committee on Banking and Building and Loan Associations, reported as committed Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances.

Mr. WILLIAMS, from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 282, entitled:

An Act to further amend Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by limiting the use of tractors of the second class

Mr. FENRICH, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, Senate Bill No. 326, entitled:

An Act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class singly or jointly prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate public auditoriums to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities empowering such Authorities to enter into contracts leases and licenses with and to accept grants from private sources the Federal Government State political subdivisions of the State or any agency thereof authorizing the making of said grants from bond funds or current revenues authorizing Authorities to collect rentals admissions license fees for the use of the project exempting the property and securities of such Public Auditorium Authorities from taxation.

Mr. COOPER, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, Senate Bill No. 471, entitled:

An Act relating to counties of the second class amending revising consolidating and changing the laws relating thereto.

Mr. SPENCER, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, Senate Bill No. 563, entitled:

An Act to further amend the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing Penalties" by imposing duties on the city controller and allowing appeals from audits or settlement of accounts.

Mr. MIHM, from the Committee on Cities-Counties First-Second and Second Class A, reported as committed Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

Mr. FENRICH, from the Committee on Cities-Counties First-Second and Second Class A, reported as committed Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of such pensions," by extending the benefits to certain authorities created by such cities.

COMMITTEE MEETINGS

STATE GOVERNMENT—Mr. Watkins, Chairman, Conference Room, immediately at call of recess.

LAW AND ORDER—Mr. Toomey, Chairman, Ante-

Room to the left of the Rostrum, immediately upon recess. Brief Meeting.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, immediately upon recess.

PUBLIC HEALTH AND SANITATION—Mr. Frost, Chairman, Room 522, immediately upon recess.

There will be a caucus of the Republican delegation at the close of the committee meetings.

There will be a caucus of the Democratic delegation at the close of the Committee meetings.

ANNOUNCEMENT

The SPEAKER. The Chair would request, because of the long day we had yesterday and the day before, that the Members immediately after the Committee meetings go to their respective caucuses and help to facilitate today's session.

We do not intend to have a night Session, but it would be very helpful to all of us if the Members would immediately come to their seats after the caucuses. There will be a quorum call and time will be saved not only for the Chair but for the Members if there be no absentees at that time. We will be able to move controversial bills rapidly so that Members will not be inconvenienced on their way home this evening. The Chair thanks the Members.

RECESS

The SPEAKER. If there is no objection, the Chair will now declare a recess for one hour. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. BOLTON. HOUSE BILL No. 1475.

An Act to repeal the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

Mr. PEIFLY. HOUSE BILL No. 1476.

An Act fixing the annual vacations of members of police departments of boroughs, towns and townships.

Referred to the Committee on Municipal Corporations.

By Messrs. HALL and ROYER. HOUSE BILL No. 1477.

An Act creating a joint legislative commission, to be known as the State Highway Planning Commission; providing for the appointment of its members; defining its powers and duties; and making an appropriation.

Referred to the Committee on Appropriations.

RECONSIDERATION OF VOTE ON HOUSE BILL 623

Mr. MIKULA. Mr. Speaker, I move that the vote by which House Bill No. 623, Printer's No. 232, entitled:

"An Act to amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled 'Beauty Culture Law,' by providing for the registration or licensing of certain persons not originally licensed in Pennsylvania to practice beauty culture."

was defeated on final passage, May 27, 1953, be reconsidered.

Mr. BANKER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Luzerne, Mr. Mikula, vote on the final passage of this bill?

Mr. MIKULA. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Huntingdon, Mr. Banker, vote on the final passage of this bill?

Mr. BANKER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. MIKULA. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. OGILVIE asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORTS FROM COMMITTEE

Mr. REIDENBACH, from the Committee on Law and Order, reported as committed House Bill No. 641, entitled:

An Act to further amend subsection (e) of Section 628 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by increasing the fees for registration of firearms.

Mr. McGEE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1440, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

Mr. POLASKI, from the Committee on State Government, reported as committed, House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

Mr. GRANVILLE E. JONES, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 277, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Mr. TOMPKINS, from the Committee on Judiciary, reported as committed, House Bill No. 587, entitled:

An Act to provide for an additional law judge of the court of common pleas in the ninth judicial district.

Mr. TOMPKINS, from the Committee on Judiciary, reported as committed, House Bill No. 718, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-fifth judicial district.

Mr. TOMPKINS, from the Committee on Judiciary, reported as committed, House Bill No. 775, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight; and providing for the election and appointment of judges thereof.

Mr. TOMPKINS, from the Committee on Judiciary, reported as committed, Senate Bill No. 593, entitled:

An Act to establish a separate orphan's court in and for the County of Chester.

BILLS ON FIRST READING

Mr. TOMPKINS asked and obtained unanimous consent for House Bill No. 587 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 587, entitled:

An Act to provide for an additional law judge of the court of common pleas in the ninth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. TOMPKINS asked and obtained unanimous consent for House Bill No. 718 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 718, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-fifth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. TOMPKINS asked and obtained unanimous consent for House Bill No. 775 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 775, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common please number eight; and providing for the election and appointment of judges thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. McGEE asked and obtained unanimous consent for House Bill No. 1440 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1440, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLASKI asked and obtained unanimous consent for House Bill No. 1463 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. GRANVILLE E. JONES asked and obtained unanimous consent for Senate Bill No. 277 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 277, entitled:

An Act to further amend section thirteen of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other ob-

ligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. TOMPKINS asked and obtained unanimous consent for Senate Bill No. 593 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 593, entitled:

An Act to establish a separate orphans' court in and for the County of Chester.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that House Bill No. 587, entitled:

An Act to provide for an additional law judge of the court of common pleas in the ninth judicial district.

House Bill No. 718, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-fifth judicial district.

House Bill No. 775, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight; and providing for the election and appointment of judges thereof. and

Senate Bill No. 593, entitled:

An Act to establish a separate orphans' courts in and for the County of Chester.

be recommitted to the Committee on Appropriations.
The motion was agreed to.

MEETING OF ALLEGHENY COUNTY MEMBERS

Mr. SARRAF asked and obtained permission for the Allegheny County Members to meet to the right of the rostrum.

PERMISSION TO ADDRESS HOUSE

Mr. GLEASON asked and obtained unanimous consent to address the House.

Mr. Speaker, on Monday of this week, on the call of the roll, Mr. Jump from Luzerne County did not answer present to his name when the roll was called. When he did come in, he said the reason he was late was because he stopped to pick up a sum of money.

I want to tell you that when he came in the door of the Capitol he saw on the floor, on the inside of the Capitol, a sum of money. He picked it up and found that there were seven fifty-dollar bills. That is $350. The couple that lost this money were in their late fifties and were on their honeymoon. They happened to be up here visiting the Capitol.

They came back yesterday to the Capitol and talked to the Capitol policeman, and the officer told them that he had heard one of the House Members had found a sum of money. Upon further inquiry it was learned that Mr. Jump had found the money. He was contacted at the Penn-Harris Hotel this morning.

This couple was Mr. and Mrs. Joseph Weidner of Reading. It was explained that Mrs. Weidner had pulled her handkerchief out of her pocketbook when she came into the Capitol and she figures that that is when these bills came out of her pocketbook.

Mr. Jump turned back the money to this very happy couple this morning, the seven fifty-dollar bills. They offered him in turn a fifty-dollar bill for turning it in, and he refused it.

I think Mr. Jump should be commended by this House for his honesty and seeing that this money was delivered to this couple which turned their misfortune into happiness. Such conduct certainly speaks for the integrity of our Legislators in general.

Mr. JUMP. I assure you that I feel very much relieved. The gentleman in his remarks stated they were on their honeymoon, but it happened that this old couple were celebrating their anniversary. I would like to correct him on that. I do feel very much relieved.

It is the first time in my life that I ever found a sum of money and I assure you that I am going home tonight not so rich.

I was tickled to death that the police had known because I had left word around the Capitol that if any one would claim they lost money, to kindly send them to me, if they would claim the right amount. The old lady as she talked to me this morning was more nervous than I was. She said she was not sure whether it was six fifties or seven fifties. They were not sure whether they had changed one of the fifties. Well that was good enough for me.

I feel very happy and, as I said, very much relieved, and thank God we found the person that lost this money.

The SPEAKER. The Chair congratulates the gentleman upon his honesty.

RESOLUTION

CONGRATULATIONS

Messrs. CONNELLY, LIPPINCOTT and BULLEN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, June 11, 1953.

Chester Hospital was the scene of loud and boisterous noises on the day of May 30, 1953. An investigation by the hospital staff has placed the cause of the disturbance upon the new born son of Mr. & Mrs. William Conner.

In all fairness to the apparently guilty child, it should be remembered that he is the grandson of Lawrence Conner and that while the noise was excusable, it certainly was not unavoidable.

Psychologists and sociologists have long held that the

character of the individual is determined by his environment. While we do not dispute this belief, we do hope that the overwhelming Republican population of Glenolden, Delaware County, can exert a sufficient amount of its virtues upon this innocent and naive child to counteract the Democrat influence present in his home life.

Whether the child can overcome the prevailing ominous conditions of his immediate surroundings we do not know, but we do know that the influence of his grandfather will instill in him the basic ingredients for a successful life and career; now therefore be it

Resolved, That the House of Representatives extend its congratulations to the justly proud parents and grandfather of the boy and its wishes that his life shall be as full and rich as that of his grandfather; and be it further

Resolved, That a copy of this resolution be sent by the Clerk of the House of Representatives to the grandfather, and, incidentally, to the parents of the young hopeful.

The SPEAKER. The Chair recognizes the gentleman from Delaware Mr. Conner.

Mr. CONNER. Mr. Speaker, I have been asked many times since Memorial Day how it feels to be a grandfather. I have stated on each of those occasions that I do not feel any different. I am reminded of the fact that when a friend of mine was asked the same question, he said he did not feel any different, but that he could be more productive if he were not married to a grandmother.

I am very grateful to my colleagues from Delaware County. I notice that they laid emphasis on politics. In fact that family will reside in Glen Olden and that is a strong Republican community.

In fairness to little William Richard, Jr., I want to say that he has a Democratic father. His mother, while not of voting age, comes from a very ardent Republican family. So at the present time we are listing little William as a non-partisan. But with the Democratic blood that is in his veins, I feel that in subsequent years the brain of the jackass will subdue the trumpeting of the elephant.

Thank you very much.

QUESTION OF PERSONAL PRIVILEGE

Mr. MIKULA. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MIKULA. Mr. Speaker, yesterday the House of Representatives voted upon a sales tax. I was correctly recorded in the affirmative for sales tax measure.

Later upon the request of a House officer, my vote was changed from "aye" to "nay". This action was taken in order to insure a consideration of this tax measure should that action be desired later.

I do this to correct misunderstandings to my embarrassment and to the embarrassment of my County organization.

RESOLUTION

Mr. RAGOT offered a resolution which was filed with the Clerk.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Whalley for Mr. NAUGLE for today's session.
Mr. Breisch for Mr. WATKINS for today's session.
Mr. Breisch for Mr. KLINE for today's session.
Mr. Ragot for Mr. IDE because of illness.
Mr. Kornick for Mr. COCHRAN because of illness.
Mr. Filo for Mr. BOIES for today's session.
Mr. Kornick for Mr. BRETH because of illness.
Mr. Hersch for Mr. CIANFRANI for today's session.
Mr. Hersch for Mr. PETTIGREW because of illness.
Mr. Hersch for Mr. LIMPER because of illness.
Mr. Hersch for Mr. PFAFF because of illness.
Mr. Hersch for Mr. HOGGARD because of pressing business.
Mr. Hersch for Mrs. VARALLO because of pressing business.
Mr Moody for Mr. WORLEY because of illness.
Mr. Bolton for Mr. LAFORE because of urgent personal business.
Mr. Kent for Mr. ERB because of death in the family.

Mr. ANDREWS. Mr. Speaker, may I inquire the reason for Mr. Pettigrew's absence.

The SPEAKER. Will the gentleman state the reason for Mr. Pettigrew's absence?

Mr. GRANVILLE E. JONES. Mr. Speaker, I asked for leave of absence for Mr. Pettigrew yesterday because of illness; he is suffering with arthritis.

CALL OF THE HOUSE

Mr. ANDREWS. Mr. Speaker, I rise to suggest the absence of a quorum.

The SPEAKER. The gentleman from Cambria rises to suggest the absence of a quorum. The Sergeant-at-Arms will close the doors of the House and permit only Members to answer. The Clerk will call the roll.

The roll was called and was as folows:

PRESENT—188

Adam,	Glick,	McCann,	Schwartz,
Gleason,	Goodling,	McCormack,	Scott,
Amarando,	Gramlich,	McCullough,	Seyler,
Andrews,	Greenwood,	McDermit,	Shoemaker,
Ashton,	Guss,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Bolton,	Hersch,	Monroe,	Stoner,
Bomberger,	Hewitt,	Moody,	Strausser,
Boory,	Hocker,	Moore,	Sucher,
Bower,	Jenkins,	Moran,	Taylor,
Breisch,	Jim,	Moscrip,	Thomas,
Brown,	Johnson,	Muldowney,	Thompson,
Bucchin,	Jones, Geo. E.,	Munley,	Toll,
Buchanan,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Needham,	Varner,
Clapper,	Kamyk,	Ogilvie,	Vaughan,
Comer,	Keller,	Olsen,	Verona,
Connelly,	Kent,	Parlante,	Wall,
Conner,	Kerlin,	Peifly,	Wallace,
Cooper,	Kohl,	Peta,	Walsh,
Coyle,	Kolankiewicz,	Petrosky,	Wargo,
Curwood,	Kornick,	Phillips,	Waterhouse,
Davis,	Kratz,	Polaski,	Weidner,
Dougherty,	Kromer,	Polen,	Welsh,
Down,	Kubacki,	Poltenstein,	Wescott,
Downey,	Lederer,	Price,	Whalley,
DuBois,	Leisey,	Quisenberry,	White,
Dunn,	Leonard,	Ragot,	Whitenight,
Ewing,	Leven,	Readinger,	Willaredt,
Farabaugh,	Light,	Reagan,	Williams,
Fenrich,	Lippincott,	Reidenbach,	Wilt,
Ferster,	Lopresti,	Richter,	Wood,
Filo,	Lovett,	Rosen,	Yeakel,
Flack,	Lutty,	Rovansek,	Yetzer,
Fleischman,	Maguire,	Royer,	Young,
Flynn,	Mahan,	Rubin,	Zeitz,

Frost,	Markley,	Sarraf,	Ziegler,
Geer,	Mathews,	Schmidt,	Smith, C. C.,
Gibson,	Maxwell,	Schuster,	Speaker
Alexander,			

ABSENT—2

Gutendorf, Wheeler,

ABSENT WITH LEAVE—17

Boies,	Floyd,	Lafore,	Pfaff,
Breth,	Hoggard,	Limper,	Varallo,
Cianfrani,	Ide,	Naugle,	Watkins,
Cochran,	Kline,	Pettigrew,	Worley,
Erb,			

The SPEAKER. One hundred eighty-eight Members having answered to their names, a quorum is present.

Mr. ANDREWS. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

PERMISSION TO INTERROGATE

Mr. AUKER asked and obtained unanimous consent to interrogate the Majority or the Minority Leader.

Mr. AUKER. I would like to interrogate either the Majority or the Minority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. AUKER. I would like to ask the gentleman whether the Majority or Minority Leader on Wednesday, June 24, anticipates suggesting the lack of a quorum in the House.

Mr. JOHNSON. Mr. Speaker, I might say it was planned to come back here on the twenty-second of June with the whole House present. We thought we would have hotel rooms. We are reconvening on the 22nd because of the fact that there are no places for Members to stay and there will be no Call of the House on Monday and Tuesday. I understand there will be a Call of the House on Wednesday when we come back on the 24th when we will meet at 12 o'clock Standard Time.

Mr. AUKER. Another question. Will the lack of a quorum still be suggested on each day of that legislative week?

Mr. JOHNSON. Mr. Speaker, that is the plan.

PARLIAMENTARY INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Under Rule 11 of the House, is an excuse of personal business sufficient to excuse a Member from being present in this House when the Legislature is in session?

The SPEAKER. In answer to the gentleman's parliamentary inquiry, that is a question for the House itself to decide whether personal business is sufficient excuse to be excused.

The Chair heard no objection at the time leave was granted.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER. asked and obtained unanimous consent to address the House.

Mr. Speaker, I am not saying that I will, I am just suggesting that I might, during all the Sessions from now on when the absence of a quorum is suggested, ask for a decision from this House as to whether or not the excuse of "personal business" is sufficient excuse to absent a Member from the House. If the House should decide that it is not, I shall, no doubt then make a motion that he be sent for and be brought in.

BILLS ON THIRD READING

The following bills were taken up out of order by unanimous consent of the House.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1336 as follows:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further defining the manner of making assessments and regulating appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 3 and 6 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town townships school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) are hereby further amended to read as follows

Section 3 It shall be the duty of said board in each county to which this act applies to make and have supervision of the making of annual assessments of persons property and occupations now or hereafter made subject to assessment for taxation for county borough town township school poor and institution district purposes In making assessments of property at less than actual value it shall accomplish equalization with other properties within the taxing district The making of triennial assessments as provided by existing law is hereby abolished

Section 6 The subordinate assessors shall make the annual assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and in assessing such properties at less than actual value shall accomplish equalization with other properties within the taxing district They shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita tax or poll tax may be accurate and correct insofar

as it is possible to make them They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes All such assessors who shall fail to make assessment and lists in the manner herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 2 Section 9 of the act is hereby amended to read as follows

Section 9 After action on such assessments by said board any dissatisfied taxable may within thirty days from the final fixing of his assessment and valuation appeal therefrom to the court of common pleas of the said county in the manner provided by law for appeals from assessments and it shall be the duty of the court at once to hear and determine said appeal and if necessary to make such changes therein as may be right and proper In the case of real property the court shall determine from the evidence submitted at the hearing what ratio of assessed value to actual value was used generally in the taxing district and the court shall direct the application of the ratio so found to the value of the property which is the subject matter of the appeal and such shall be the assessment From the decision of the court an apeal may be taken to the Superior or Supreme Court as now provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Glick,	McCann,	Schwartz,
Alexander,	Goodling,	McCormack,	Scott,
Amarando,	Gramlich,	McCullough,	Seyler,
Andrews,	Greenwood,	McDermit,	Shoemaker,
Ashton,	Gurs,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Bolton,	Hersch,	Monroe,	Stoner,
Bomberger,	Hewitt,	Moody,	Strausser,
Boory,	Hocker,	Moore,	Sucher,
Bower,	Jenkins,	Moran,	Taylor,
Breisch,	Jim,	Moscrip,	Thomas,
Brown,	Johnson,	Muldowney,	Thompson,
Bucchin,	Jones, Geo. E.,	Munley,	Toll,
Buchanan,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Needham,	Varner,
Clapper,	Kamyk,	Ogilvie,	Vaughan,
Comer,	Keller,	Olsen,	Verona,
Connelly,	Kent,	Parlante,	Wall,
Conner,	Kerlin,	Peifly,	Wallace,
Cooper,	Kohl,	Peta,	Walsh
Coyle,	Kolankiewicz,	Petrosky,	Wargo,
Curwood,	Kornick,	Phillips,	Waterhouse,
Davis,	Kratz,	Polaski,	Weidner,
Dougherty,	Kromer,	Polen,	Welsh,
Down,	Kubacki,	Poltenstein,	Wescott,
Downey,	Lederer,	Price,	Whalley,
DuBois,	Leisey,	Quisenberry,	White,
Dunn,	Leonard,	Ragot,	Whitenight,
Ewing,	Leven,	Readinger,	Willaredt,
Farabaugh,	Light,	Reagan,	Williams,
Fenrich,	Lippincott,	Reidenbach,	Wilt,
Ferster,	Lopresti,	Richter,	Wood,
Filo,	Lovett,	Rosen,	Yeakel,
Flack,	Lutty,	Rovansek,	Yetzer,
Fleischman,	Maguire,	Royer,	Young,
Flynn,	Mahan,	Rubin,	Zeitz,
Frost,	Markley,	Sarraf,	Ziegler,
Geer,	Mathews,	Schmidt,	Smith, C. C., Speaker
Gibson,	Maxwell,	Schuster,	
Gleason,			

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 866 as follows:

An Act to further amend section 6 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing that the assessed valuation of property shall be based upon an established predetermined ratio of its actual value

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) is hereby further amended to read as follows

Section 6 The subordinate assessors shall make the annual assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita tax or poll tax may be accurate and correct insofar as it is possible to make them They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall

hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes All such assesors who shall fail to make assessments and lists in the manner herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

In making the assessment and valuation of property the assessed value shall be based upon an established predetermined ratio of its actual value which shall be fixed by resolution of the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adam,	Goodling,	McCullough,	Scott,
Alexander,	Gramlich,	McDermit,	Seyler,
Amarando,	Greenwood,	McGee,	Shoemaker,
Andrews,	Guss,	McInroy,	Shotwell,
Ashton,	Guthrie,	McWherter,	Smith, W. B.,
Auker,	Hall,	Metz,	Snider,
Banker,	Hamilton, R. K.,	Mihm,	Spencer,
Barkdoll,	Hamilton, W. H.,	Mikula,	Stank,
Baumunk,	Harris,	Miller,	Stevenson,
Bazin,	Haudenshield,	Mills,	Stimmel,
Bear,	Helm,	Monroe,	Stone,
Blair,	Hersch,	Moody,	Stoner,
Bolton,	Hewitt,	Moore,	Strausser,
Bomberger,	Hocker,	Moran,	Sucher,
Boory,	Jenkins,	Moscrip,	Taylor,
Bower,	Jim,	Muldowney,	Thomas,
Breisch,	Johnson,	Munley,	Thompson,
Brown,	Jones, Geo. E.,	Murray, J. J.,	Toll,
Bucchin,	Jones, Gran'le E.,	Murray, P. G.,	Tompkins,
Buchanan,	Jones, Paul F.,	Musto,	Toomey,
Capano,	Jump,	Needham,	VanSant,
Cioffi,	Kamyk,	Ogilvie,	Varner,
Clapper,	Keller,	Olsen,	Vaughan,
Comer,	Kent,	Parlante,	Verona,
Conner,	Kerlin,	Peifly,	Wall,
Cooper,	Kohl,	Peta,	Wallace,
Coyle,	Kolankiewicz,	Petrosky,	Walsh,
Curwood,	Kornick,	Phillips,	Wargo,
Davis,	Kratz,	Polaski,	Waterhouse,
Dougherty,	Kromer,	Polen,	Weidner,
Down,	Kubacki,	Poltenstein,	Welsh,
Downey,	Lederer,	Price,	Wescott,
DuBois,	Leisey,	Quisenberry,	Whalley,
Dunn,	Leonard,	Ragot,	White,
Ewing,	Leven,	Readinger,	Whitenight,
Farabaugh,	Light,	Reagan,	Willaredt,
Fenrich,	Lopresti,	Reidenbach,	Williams,
Ferster,	Lovett,	Richter,	Wilt,
Filo,	Lutty,	Rosen,	Wood,
Flack,	Maguire,	Rovansek,	Yeakel,
Fleischman,	Mahan,	Royer,	Yetzer,
Flynn,	Markley,	Rubin,	Young,
Frost,	Mathews,	Sarraf,	Zeitz,
Geer,	Maxwell,	Schmidt,	Ziegler,
Gibson,	McCann,	Schuster,	Smith, C. C.,
Gleason,	McCormack,	Schwartz,	Speaker
Glick,			

NAYS—4

Bullen,	Connelly,	Jones, T. H. W.,	Lippincott,

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1001 as follows:

An Act to amend paragraph (a) of section eleven of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by requiring certain redevelopers to reimburse public utilities for the costs of removing altering constructing reconstructing locating relocating or otherwise changing their facilities in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (a) of section eleven of the act approved the twenty-fourth day of May on thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended by adding thereto after clause four-one a new clause to read as follows

Section 11 Provisions of the Redevelopment Contract

(a) The contract between the Authority and a redeveloper shall contain without being limited to the following provisions

* * * * *

(4-2) If the redeveloper is an individual partnership or private corporation a requirement that the redeveloper pay each public utility such costs as shall be or have been incurred by such public utility in removing altering constructing locating relocating or otherwise changing any of its facilities from within or outside the redevelopment area covered by the contract as a result of the redevelopment or as a result of any municipal or governmental ac-

tion in dedicating closing vacating paving installing grading regarding or improving any street highway road roadway alley or sidewalk in aid of or incident to the the redevelopment provided however that where facilities constructed in lieu of removed facilities have a service capacity greater than that of the removed facilities the redeveloper shall pay the public utility an amount equal to the cost of constructing facilities of the same service capacity as that of the removed facilities

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PAUL F. JONES. Mr. Speaker, as we read this bill it would require certain redevelopments to reimburse public utilities for the cost of removing, altering or relocating their facilities. This obviously refers to gas, electric, telephone, water and street railway facilities.

Under the transit law these utilities bear these costs. I submit to you that it is only proper that they should bear them, because I think the utilities themselves have an interest in redevelopment. Any time you go into a blighted area and tear down substandard housing or relocate streets and set up decent housing, it is my view that you expand the market for the facilities that these utility companies have to produce.

As they increase their services, I believe their profits likewise increase. This is a type of relief that I do not believe they have requested in all seriousness and a type of relief that I do not believe is justifiable.

I think we all know that redevelopment programs are financed two thirds by the federal government and one third by the local taxpayers. This is true I can see in numerous instances where if this cost is shifted from the utility companies, who get the ultimate advantage of the redevelopment program, that the cost ultimately will be passed on to the taxpayer. That means the overall effect is that, if we are going to start a redevelopment. It does not relate to the public redevoleper. The authorities as such are not so much concerned, but the emphasis of late has been to try to attract the private redeveloper into this field.

All over the state there have been programs launched by the private redeveloper that have augmented the programs that are contemplated, proposed and launched by our governmental agencies.

I say this bill and its effect will have a tendency to discourage redevelopment. Therefore we are not rendering a service to those communities who proposed programs of redevelopment because what we are virtually doing to the private redeveloper is ham-stringing him in his efforts and we are going to make the cost prohibitive.

I suggest to you that the bill has no partisan aspects. It is definitely, in my opinion, not in the public interest. I suggest to you rather than discourage the private redeveloper, it would be incumbent upon this House to take steps to encourage private redevelopers to enter the field, because government has demonstrated that the job is too colossal for government to handle alone. If we can get the private developer to enter the field and augment the efforts of the authorities and the government, then we are achieving the results that we would all like to see achieved.

I suggest to you in all sincerity that before voting on this you consider seriously whether a bill of this type, that to my mind is not requested by the utilities—the gas, the power, and the electric folks, are not asking for it—the overall effect would be, as I repeat myself, to discourage private redevelopment.

If we pass this bill we are rendering this program a definite disservice, and this bill for this reason is not in the public interest and does not merit your support.

Mr. SCHWARTZ. Mr. Speaker, I agree with my colleague from Pittsburgh that this is not a good piece of legislation.

First of all, I would like to state that there is an association of redevelopment authorities in the state of Pennsylvania. This association has gone on record unanimously to oppose this bill.

The Members of this House should recall, I believe it was the 1951 Session that they appropriated the sum of $15 million—perhaps it was the 1949 Session—to aid redevelopment in the state of Pennsylvania, to try to get public housing out of public and into private hands, which we all feel is a step in the right direction.

If we vote for this bill, we are going to chastise the private redevelopers whom you have been trying to help here since 1945.

I do not like to say that this is a tax grab by the utilities, but if you look at the bill you might reach that conclusion. What would happen would be that some of this $15 million that we have appropriated will wind up in the hands of public utilities.

In the main, the public utilities today are monopolies. In most instances and in most areas they are tax free and tax exempt. They derive certain benefits from redevelopment projects. They acquire new customers. They have new outlets for their facilities. This is certainly bad leglislation.

I sincerely urge all the Members of the House to vote against this bill.

Mr. PAUL F. JONES. Mr. Speaker, at the risk of offending your patience, I have neglected to bring to your attention one point that I feel is entirely important.

The utility companies at the present time pay no local taxes. I think that is a concession we have given them already and I think that should be borne in mind. They pay no local taxes now. They operate their facilities; they sell their services and they get the profits. They operate by sufferance.

With that thought in mind I want you to consider that too as you consider this bill.

Mr. STIMMEL. Mr. Speaker, there are always two sides to a story. I shall not take much time arguing the merits of this bill because I believe it speaks for itself.

I think it spells out in clear, concise terms whether or not the ratepayer of the public utility company shall assume the cost of relocating facilities to an equal extent that they were prior to condemnation or abandonment, or whether private enterprise that goes in there for a profit shall pay that relocation.

I plead not for the public utility companies, but I do for the ratepayer who cannot defend himself. I do not care how you spell it out, these costs must become ultimately part of the rate.

This bill very definitely does this: it says that a man in an area paying a rate to a public utility company that

is not the beneficiary of the improved housing area, that he shall pay a part of that cost.

I feel that that is eminently unfair. I submit to you, too, that where this area that is redeveloped, where the public utilities will gain by an enlargement of that area, they will pay the first cost right from the first penny on up for any expansion of their facilities.

I think this bill is a fair bill because it does not ask that the people assume the burden upon which future profits of public utility companies can be made. They have gone more than half way.

Yes, I submit to you that the public utilities are rightfully interested in this bill, but that is not the position I defend. I defend the position of the ratepayer who has no voice and who has to pay his share of it whether or not he is a beneficiary.

I think this is a good bill and I solicit your vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Adam,	Frost,	Mathews,	Shotwell,
Amarando,	Gibson,	McGee,	Snider,
Ashton,	Gleason,	McInroy,	Spencer,
Auker,	Goodling,	Mikula,	Stank,
Banker,	Gramlich,	Miller,	Stevenson,
Barkdoll,	Greenwood,	Mills,	Stimmel,
Baumunk,	Guthrie,	Moody,	Stoner,
Bear,	Hall,	Moscrip,	Strausser,
Blair,	Hamilton, W. H.,	Muldowney,	Sucher,
Bomberger,	Helm,	Munley,	Taylor,
Bower,	Hewitt,	Murray, P. G.,	Tompkins,
Breisch,	Jim,	Musto,	Toomey,
Buchanan,	Johnson,	Needham,	VanSant,
Bullen,	Jones, Geo. E.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Parlante,	Wall,
Comer,	Jump,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Wargo,
Conner,	Kent,	Petrosky,	Waterhouse,
Cooper,	Kerlin,	Phillips,	Weidner,
Coyle,	Kohl,	Polen,	Wescott,
Curwood,	Kratz,	Price,	Whalley,
Davis,	Kromer,	Quisenberry,	Willaredt,
Dougherty,	Kubacki,	Ragot,	Williams,
Down,	Lederer,	Readinger,	Wood,
DuBois,	Leisey,	Reagan,	Yeakel,
Dunn,	Lippincott,	Reidenbach,	Yetzer,
Ewing,	Maguire,	Royer,	Young,
Ferster,	Mahan,	Rubin,	Ziegler,
Flack,	Markley,	Shoemaker,	Smith, C. C., Speaker
Fleischman,			

NAYS—66

Alexander,	Harris,	McCormack,	Schuster,
Andrews,	Hersch,	McCullough,	Schwartz,
Bazin,	Hocker,	McDermit,	Scott,
Boory,	Jenkins,	McWherter,	Seyler,
Brown,	Jones, Gran'le E.,	Mihm,	Smith, W. B.,
Bucchin,	Jones, Paul F.,	Moore,	Stone,
Capano,	Kamyk,	Moran,	Thomas,
Cioffi,	Kolankiewicz,	Murray, J. J.,	Thompson,
Downey,	Kornick,	Olsen,	Toll,
Farabaugh,	Leonard,	Polaski,	Verona,
Fenrich,	Leven,	Poltenstein,	Walsh,
Filo,	Light,	Richter,	Welsh,
Flynn,	Lopresti,	Rosen,	White,
Geer,	Lovett,	Rovansek,	Whitenight,
Glick,	Lutty,	Sarraf,	Wilt,
Guss,	Maxwell,	Schmidt,	Zeitz,
Hamilton, R. K.,	McCann,		

NOT VOTING—24

Boies,	Floyd,	Lafore,	Pfaff,
Bolton,	Gutendorf,	Limper,	Varallo,
Breth,	Haudenshield,	Metz,	Varner,
Cianfrani,	Hoggard,	Monroe,	Watkins,
Cochran,	Ide,	Naugle,	Wheeler,
Erb,	Kline,	Pettigrew,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1184, as follows:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of service for policemen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1528) is hereby amended to read as follows

Article III

Department of Public Safety

Section 1 * * * * *

No [patrolman] policeman shall be required to be on duty for more than [eight] nine out of any twenty-four consecutive hours not for more than [forty-eight] forty-four hours in any calendar week and every policeman shall be allowed to have at least forty-eight consecutive hours off duty in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of riot conflagration or public celebrations and in such cases council shall provide for the payment of extra compensation or time off at the same rate as paid for regular service The existing salary or compensation of any [patrolman] policeman shall not be diminished because of the reduced number of hours of duty prescribed by this amendment

* * * * *

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Glick,	McCann,	Schwartz,
Alexander,	Goodling,	McCormack,	Scott,
Amarando,	Gramlich,	McCullough,	Seyler,
Andrews,	Greenwood,	McDermit,	Shoemaker,
Ashton,	Guss,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Bolton,	Hersch,	Monroe,	Stoner,
Bomberger,	Hewitt,	Moody,	Strausser,
Boory,	Hocker,	Moore,	Sucher,
Bower,	Jenkins,	Moran,	Taylor,
Breisch,	Jim,	Moscrip,	Thomas,
Brown,	Johnson,	Muldowney,	Thompson,
Bucchin,	Jones, Geo. E.,	Munley,	Toll,
Buchanan,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Needham,	Varner,

Clapper,	Kamyk,	Ogilvie,	Vaughan,
Comer,	Keller,	Olsen,	Verona,
Connelly,	Kent,	Parlante,	Wall,
Conner,	Kerlin,	Peifly,	Wallace,
Cooper,	Kohl,	Peta,	Walsh
Coyle,	Kolankiewicz,	Petrosky,	Wargo,
Curwood,	Kornick,	Phillips,	Waterhouse,
Davis,	Kratz,	Polaski,	Weidner,
Dougherty,	Kromer,	Polen,	Welsh,
Down,	Kubacki,	Poltenstein,	Wescott,
Downey,	Lederer,	Price,	Whalley,
DuBois,	Leisey,	Quisenberry,	White,
Dunn,	Leonard,	Ragot,	Whitenight,
Ewing,	Leven,	Readinger,	Willaredt,
Farabaugh,	Light,	Reagan,	Williams,
Fenrich,	Lippincott,	Reidenbach,	Wilt,
Ferster,	Lopresti,	Richter,	Wood,
Filo,	Lovett,	Rosen,	Yeakel,
Flack,	Lutty,	Rovansek,	Yetzer,
Fleischman,	Maguire,	Royer,	Young,
Flynn,	Mahan,	Rubin,	Zeitz,
Frost,	Markley,	Sarraf,	Ziegler,
Geer,	Mathews,	Schmidt,	Smith, C. C., Speaker
Gibson,	Maxwell,	Schuster,	
Gleason,			

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1216, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much of Section 202 as relates to the Department of Forests and Waters of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Forests and Waters

Water and Power Resources Board

Georgraphic Board

Pennsylvania State Park and Harbor Commission of Erie

Washington Crossing Park Commission

Valley Forge Park Commission

[Fort Washington Park Commission]

Bushy Run Battlefield Commission

Section 2 Section 437 of said act is hereby repealed

Section 3 Subsection (a) of Section 1806 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park [and Fort Washington Park]

Section 4 Section 1814 of said act is hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—66

Ashton,	Gibson,	Mathews,	Shotwell,
Banker,	Goodling,	McCullough,	Spencer,
Bear,	Gramlich,	McInroy,	Stevenson,
Blair,	Greenwood,	Metz,	Stimmel,
Bomberger,	Guthrie,	Mikula,	Strausser,
Bower,	Hall,	Miller,	Sucher,
Breisch,	Hamilton, W. H.,	Moody,	Thompson,
Brown,	Haudenshield,	Moore,	Tompkins,
Buchanan,	Helm,	Moscrip,	Toomey,
Bullen,	Hewitt,	Murray, P. G.,	Vaughan,
Clapper,	Johnson,	Ogilvie,	Wall,
Connelly,	Jones, T. H. W.,	Peifly,	Waterhouse,
Cooper,	Jump,	Phillips,	Weidner,
Davis,	Keller,	Price,	Whalley,
Down,	Kent,	Quisenberry,	Willaredt,
DuBois,	Kerlin,	Ragot,	Wood,
Dunn,	Kohl,	Reagan,	Yeakel,
Ewing,	Kromer,	Richter,	Young,
Ferster,	Leisey,	Royer,	Ziegler,
Flack,	Light,	Rubin,	Smith, C. C., Speaker
Fleischman,	Lippincott,	Scott,	
Frost,	Mahan,	Shoemaker,	

NAYS—98

Amarando,	Hamilton, R. K.,	McDermit,	Schuster,
Adam,	Harris,	McGee,	Schwartz,
Alexander,	Hersch,	McWherter,	Seyler,
Andrews,	Hocker,	Mihm,	Smith, W. B.,
Auker,	Jenkins,	Mills,	Snider,
Barkdoll,	Jim,	Moran,	Stank,

Bazin,	Jones, Geo. E.,	Muldowney,	Stone,
Bolton,	Jones, Gran'le E.	Munley,	Stoner,
Boory,	Jones, Paul F.,	Murray, J. J.,	Taylor,
Bucchin,	Kamyk,	Musto,	Thomas,
Capano,	Kolankiewicz,	Needham,	Toll,
Cioffi,	Kornick,	Olsen,	VanSant,
Comer,	Kratz,	Parlante,	Verona,
Conner,	Kubacki,	Peta,	Wallace,
Coyle,	Lederer,	Petrosky,	Walsh
Curwood,	Leonard,	Polaski,	Wargo,
Dougherty,	Leven,	Polen,	Welsh,
Downey,	Lopresti,	Poltenstein,	Wescott,
Farabaugh,	Lovett,	Readinger,	White,
Fenrich,	Lutty,	Reidenbach,	Whitenight,
Filo,	Maguire,	Rosen,	Williams,
Flynn,	Markley,	Rovansek,	Wilt,
Geer,	Maxwell,	Sarraf,	Yetzer,
Glick,	McCann,	Schmidt,	Zeitz,
Guss,	McCormack,		

NOT VOTING—43

Baumunk,	Floyd,	Lafore,	Varallo,
Boles,	Gleason,	Limper,	Varner,
Breth,	Gutendorf,	Monroe,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 41, as follows:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body coroprate and politic and defining its powers and duties" as heretofore amended and supplemented enlarging the jurisdiction and powers of said commission with respect to the acquisition construction administration operation and maintenance of port and terminal facilities the financing thereof and the fixing charging and collecting of tolls and other charges for the use of said port and terminal facilities authorizing the issuance of negotiable bonds and obligations of the commission providing for the designation of deputies to act for and in behalf of absent ex-officio members of said commission from Pennsylvania authorizing the combining for financing purposes of any such port and terminal facilties with any bridge or bridges heretofore or hereafter constructed or acquired by said commission and authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to such supplemental compact or agreement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four and on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four as heretofore amended and supplemented such supplemental compact or agreement to be in substantially the following form

"Supplemental Agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending and supplementing the compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties' as heretofore amended and supplemented by extending the powers of the commission to include certain port and terminal facilities

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

(1) Article I of the compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties' executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its General Assembly approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1352) as last amended by an act of said General Assembly approved the eighteenth day of May one thousand nine hundred and thirty-three (P. L. 827) and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its Senate and General Assembly approved June eleventh one thousand nine hundred and thirty-four (Chapter 215 Laws of 1934 RS (1937) 32:8-1) to which compact or agreement the consent of the Congress of the United States was given by section 9 of an Act of the Congress approved August 30 1935 (Public No. 411 74th Congress 49 Stat 1051 1058) as heretofore amended and supplemented be and the same is hereby amended and supplemented to read as follows

Article I

There is hereby created a body corporate and politic to be known as the Delaware River Joint Toll Bridge Commission (hereinafter in this agreement called the ['Commission'] 'commission') which shall consist of the commissioners on behalf of the Commonwealth of Pennsylvania provided for by the act approved the eighth day of May one thousand nine hundred and nineteen (P. L. 148) and its supplements and amendments for the acquisition of toll bridges over the Delaware River and of commissioners on behalf of the State of New Jersey provided for by the act approved the first day of April one thousand nine hundred and twelve (Chapter two hundred ninety-seven) and its supplements and amendments for the acquisition of toll bridges over the Delaware River which said commissions have heretofore been acting as a joint commission by virtue of reciprocal legislation

No action of the commission shall be binding unless a majority of the members of the commission from Pennsylvania and a majority of the members of the commission from New Jersey shall vote in favor thereof

In the event that any ex-officio member of the commission from Pennsylvania shall for any reason be absent from a meeting of the commission a deputy or other person in his department designated by him for such pur-

pose shall be authorized to act at such meeting for and in behalf of such absent member and to vote in his place on all matters which may be presented for consideration at such meeting Such designation shall be signed by such ex-officio member and filed with the Secretary of the commission and shall continue in effect until the expiration of the term of office of such member or until another designation shall be made

The commission shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes and shall be deemed to be exercising an essential governmental function in effecting such [purpose] purposes to wit

(a) The administration operation and maintenance of the joint State-owned bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and located north of the present stone arch bridge of the Pennsylvania Railroad across the Delaware River from Morrisville to Trenton

(b) The investigation of the necessity for additional bridge communications over the Delaware River [north of said railroad bridge] and the making of such studies surveys and estimates as may be necessary to determine the feasibility and cost of such additional bridge communications

(c) The preparation of plans and specifications for and location acquisition construction administration operation and maintenance of such additional bridge communications over the Delaware River [north of the aforesaid railroad bridge] at any location north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river as the commission deems necessary to advance the interests of the two States and to facilitate public travel and the issuance of bonds and obligations to provide moneys sufficient for the acquisition or construction of such bridges and the collection of tolls rentals and charges for the redemption of such bonds and obligations and the payment of interest thereon

(d) The procurement from the Government of the United States of any consents which may be requisite to enable [any project within its powers to be carried out] the commission to exercise any of its powers

(e) The investigation of the necessity for additional port and terminal facilities within the area hereinafter referred to as the 'district') comprising all of the territory within the counties of Bucks Northampton Monroe and Pike in Pennsylvania all of the territory within the counties of Sussex Warren Hunterdon and Mercer in New Jersey and that part of the territory within the county of Burlington in New Jersey north of the northerly bank of Rancocas Creek as said creek and its north branch extend in a general easterly direction from the Delaware River and through Mount Holly Pemberton and Browns Mills and other communities to the Burlington-Ocean County boundary line in New Jersey

(f) The acquisition construction administration operation and maintenance of such port and terminal facilities within the district as the commission may deem necessary to advance the interests of the two states the issuance of bonds or other obligations of the commission to provide moneys sufficient for the acquisition or construction of such facilities and the collection of fees rentals tolls and other charges for the payment of such bonds or obligations and the interest thereon and for the administration operation and maintenance of such facilities

(2) Article II of said compact or agreement as heretofore amended and supplemented be and the same is hereby amended and supplemented to read as follows

Article II

For the effectuation of its authorized purposes the commission is hereby granted the following powers

(a) To have perpetual succession
(b) To sue and be sued
(c) To adopt and use an official seal
(d) To elect a chairman vice-chairman secretary and treasurer and appoint an engineer The secretary treasurer and engineer need not be members of the commission
(e) To adopt suitable by-laws for the management of its affairs
(f) To appoint such other officers agents and employes as it may require for the performance of its duties
(g) To determine the qualifications and duties of its appointees and to fix their compensation
(h) To enter into contracts
(i) To acquire own hire use operate and dispose of personal property
(j) To acquire own use lease operate and dispose of real property and interest in real property and to make improvements thereon
(k) To grant the use of by franchise lease and otherwise and to make and collect charges for the use of any property or facility owned or controlled by it
(l) To borrow money upon its bonds or other obligations either with or without security
(m) To exercise the power of eminent domain
(n) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate maintain operate or control
(o) In addition to the foregoing powers to exercise the powers duties authority and jurisdiction heretofore conferred and imposed upon the aforesaid commissions hereby constituted a joint commission by reciprocal legislation of the Commonwealth of Pennsylvania and the State of New Jersey with respect to the acquisition of toll bridges over the Delaware River and management operation and maintenance of such bridges and the location acquisition construction administration operation and maintenance of additional bridge communications over the Delaware River [north of the aforesaid railroad bridge of the Pennsylvania Railroad] at any location north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river The powers granted in this paragraph shall be in addition to those powers granted by paragraph (a) of Article X of this agreement
(p) To exercise all other powers not inconsistent with the Constitutions of the [State] States of Pennsylvania and New Jersey or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the [foregoing] powers granted to the commission by this agreement or any amendment thereof or supplement thereto except the power to levy taxes or assessments for benefits and generally to exercise in connection with its property and affairs and in connection with property under its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs
(q) To acquire construct rehabilitate improve maintain lease as lessor or as lessee repair and operate port and terminal facilities as hereinafter defined within the district including the dredging of ship channels and turning basins and the filling and grading of land therefor
(r) To provide from time to time for the issuance of its bonds or other obligations for any one or more of its corporate purposes all bonds and other obligations hereafter issued by the commission shall have all the qualities and incidents of negotiable instruments
(s) To fix charge and collect fees rentals tolls and

other charges for the use of any of its port and terminal facilities so as to provide funds at least sufficient with other funds available for such purposes (1) to pay the cost of maintaining repairing and operating such port and terminal facilities including the administrative expenses of the commission chargeable thereto (2) to pay the bonds or other obligations issued on account of such facilities and the interest thereon as the same become due and payable and (3) to provide reserves for such purposes and to pledge such funds over and above such costs of maintenance repair and operation to the payment of such bonds or other obligations and the interest thereon

(t) To petition the Interstate Commerce Commission any public service or public utilities commission or any other federal state or local authority whether administrative judicial or legislative for the adoption and execution of any physical improvement change in method rate of transportation system of handling freight warehousing docking lightering or transfer of freight which in the opinion of the commission may be designed to improve or facilitate the movement or handling of commerce within the district or improve the terminal or transportation facilities therein

As used in this agreement the term 'port and terminal facilities' shall mean and shall include without intending thereby to limit the definition of such term any one or more of the following or any combination thereof

(1) Every kind of terminal or storage structure or facility now in use or hereafter designed for use in the handling storage loading or unloading of freight or passengers at steamship railroad or motor terminals or airports and every kind of transportation facility now in use or hereafter designed for use in connection therewith and

(2) All real and personal property and all works buildings structures equipment machinery appliances and appurtenances necessary or conventient for the proper construction equipment maintenance and operation of such facility or facilities or any one or more of them

Notwithstanding any other provision of this agreement or any provision of law state or federal to the contrary the commission may combine for financing purposes any port and terminal facility or facilities constructed or acquired by it under the provisions of this agreement with any bridge or bridges heretofore or hereafter constructed or acquired by the commission subject to any limitations contained in any trust indenture securing bonds of the commission at the time outstanding

The powers herein granted to the commission with reference to port and terminal facilities shall supersede the right to exercise any such powers within the district as defined in paragraph (e) of Article I of this agreement by any other body which has been heretofore created by compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey

Nothing contained in any other of the provisions of this compact or agreement shall be deemed or construed to amend modify or repeal any of the powers rights or duties conferred by or limitations or restrictions expressed in Article X of this compact or agreement or any of the provisions of said Article X relating to a bridge to be constructed operated and maintained by the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority acting alone or in conjunction with each other"

Section 2 Upon its signature on behalf of the Commonwealth of Pennsylvania and the State of New Jeresy the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of an act of the General Assembly of the Commonwealth of Pennsylvania and the Delaware River Joint Toll Bridge Commission shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all the obligations assumed by it under such supplemental compact or agreement and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office

Section 3 The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval to such supplemental compact or agreement

Section 4 If any provision of this act or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 5 This act shall take effect immediately but the Governor shall not enter into the supplemental compact or agreement hereinabove set forth on behalf of the Commonwealth of Pennsylvania until passage by the State of New Jersey of a substantially similar act embodying the supplemental compact or agreement between the two states

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

Adam,	Goodling,	Mathews,	Schmidt,
Andrews,	Gramlich,	Maxwell,	Schuster,
Ashton,	Greenwood,	McCullough,	Scott,
Auker,	Guss,	McDermit,	Shoemaker,
Banker,	Guthrie,	McInroy,	Shotwell,
Barkdoll,	Hall,	Metz,	Snider,
Baumunk,	Hamilton, R. K.,	Mihm,	Spencer,
Bear,	Hamilton, W. H.,	Mikula,	Stank,
Blair,	Haudenshield,	Miller,	Stevenson,
Bolton,	Helm,	Mills,	Stimmel,
Bomberger,	Hewitt,	Moody,	Stoner,
Bower,	Hocker,	Moore,	Strausser,
Brosch,	Jim,	Moscrip,	Sucher,
Brown,	Johnson,	Muldowney,	Thompson,
Ban,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	VanSant,
Clapper,	Jump,	Ogilvie,	Varner,
Connelly,	Kamyk,	Olsen,	Vaughan,
Cooper,	Keller,	Parlante,	Verona,
Davis,	Kent,	Peifly,	Wall,
Dougherty,	Kerlin,	Peta,	Walsh
Down,	Kohl,	Petrosky,	Wargo,
Downey,	Kornick,	Phillips,	Waterhouse,
DuBois,	Kratz,	Polaski,	Weidner,
Dunn,	Kromer,	Polen,	Wescott,
Ewing,	Kubacki,	Price,	Whalley,
Farabaugh,	Leisey,	Quisenberry,	Whitenight,
Fenrich,	Leonard,	Ragot,	Willaredt,
Ferster,	Light,	Readinger,	Williams,
Filo,	Lippincott,	Reagan,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Fleischman,	Lovett,	Richter,	Yeakel,
Flynn,	Lutty,	Rovansek,	Yetzer,
Frost,	Maguire,	Royer,	Young,
Geer,	Mahan,	Rubin,	Ziegler,
Gibson,	Markley,	Sarraf,	Smith, C. C., Speaker
Gleason,			

NAYS—36

Alexander,	Curwood,	McCormack,	Seyler,
Amarando,	Glick,	McGee,	Smith, W. B.,
Bazin,	Harris,	McWherter,	Stone,
Boory,	Hersch,	Moran,	Taylor,
Bucchin,	Jenkins,	Murray, J. J.,	Thomas,
Cioffi,	Jones, Gran'le E.	Musto,	Toll,
Comer,	Lederer,	Poltenstein,	Wallace,
Conner,	Leven,	Rosen,	Welsh,
Coyle,	McCann,	Schwartz,	White,

NOT VOTING—22

Boles,	Gutendorf,	Limper,	Varallo,
Breth,	Hoggard,	Monroe,	Watkins,
Cianfrani,	Ide,	Naugle,	Wheeler,
Cochran,	Kline,	Pettigrew,	Worley,
Erb,	Kolankiewicz,	Pfaff,	Zeitz,
Floyd,	Lafore,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. Without objection, the Chair will turn to page 43 of the Calendar, Senate Bill No. 43, Printer's No. 115. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 43, as follows:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for the general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the effective date of this act the council of any city of the first or second class shall have the authority by ordinance for general revenue purposes to levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such city of the first or second class as it shall determine except that such council shall not have authority to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject or occupation or on personal property which is now or may hereafter become subject to a State tax or license fee If subsequent to the passage of any ordinance under the authority of this act the General Assembly shall impose a tax or license fee on any privilege transaction subject or occupation or an personal property taxed by any city of the first or second class hereunder the act of Assembly imposing the State tax thereon shall automatically vacate the city ordinance passed under the authority of this act as to all taxes accruing subsequent to the effective date of the act imposing the State tax or license fee It is the intention of this section to confer upon cities of the first and second classes the power to levy assess and collect taxes upon any and all subjects of taxation which the Commonwealth has power to tax but which it does not now tax or license subject only to the foregoing provision that any tax upon a subject which the Commonwealth may hereafter tax or license shall automatically terminate upon the effective date of the State act imposing the new tax or license fee

On or after the thirty-first day of December one thousand nine hundred fifty-three it shall be unlawful for the council of any city of the first class to impose any wage income or occupation tax upon any person not a resident of such city All wage income and occupation taxes imposed by any city of the first class before the effective date of this amendment on persons who are not residents of such city are hereby discontinued and abolished after the thirty-first day of December one thousand nine hundred fifty-three in so far as they apply to non-residents of such city

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. THOMAS H. W. Jones. Mr. Speaker, I would like to request that this bill be passed over.

The SPEAKER. The Chair heard no objection before the bill was read by the Clerk.

PARLIAMENTARY INQUIRY

Mr. THOMAS H. W. Jones. Mr Speaker, is there anything that I can do now to have it passed over, like a motion that can be voted on?

The SPEAKER. For the gentleman's information, the gentleman may make a motion to place the bill on the postponed calendar. However, that is a question for the House to decide.

MOTION TO POSTPONE

Mr. THOMAS H. W. JONES. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I simply rise to state our opposition to the motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—67

Ashton,	Flack,	Murray, P. G.,	Thompson,
Banker,	Geer,	Ogilvie,	Tompkins,
Baumunk,	Gramlich,	Peifly,	Toomey,
Bear,	Greenwood,	Phillips,	VanSant,
Blair,	Guthrie,	Price,	Vaughan,
Bolton,	Haudenshield,	Quisenberry,	Verona,
Bomberger,	Hewitt,	Ragot,	Wall,
Brown,	Johnson,	Reagan,	Waterhouse,
Bullen,	Keller,	Richter,	Weidner,
Connelly,	Kent,	Royer,	Whalley,
Conner,	Leisey,	Scott,	Willaredt,
Davis,	Lippincott,	Spencer,	Wilt,
Down,	Lovett,	Stank,	Wood,
DuBois,	Markley,	Stevenson,	Yeakel,
Dunn,	McCullough,	Stimmel,	Young,
Ewing,	Moody,	Strausser,	Ziegler,
Ferster,	Moscrip,	Sucher,	

NAYS—113

Adam,	Hall,	Mahan,	Rosen,
Alexander,	Hamilton, R. K.,	Mathews,	Rovansek,
Amarando,	Hamilton, W. H.,	Maxwell,	Rubin,
Andrews,	Harris,	McCann,	Sarraf,
Auker,	Helm,	McCormack,	Schmidt,
Barkdoll,	Hersch,	McDermit,	Schuster,
Bazin,	Hocker,	McGee,	Schwartz,
Boory,	Jenkins,	McWherter,	Seyler,
Bower,	Jim,	Mihm,	Smith, W. B.,
Breisch,	Jones, Geo. E.,	Mikula,	Snider,
Bucchin,	Jones, Granle E.,	Miller,	Stone,
Capano,	Jones, Paul F.,	Mills,	Stoner,

Cioffi,	Jones, T. H. W.,	Monroe,	Taylor,
Clapper,	Jump,	Moran,	Thomas,
Comer,	Kamyk,	Muldowney,	Toll,
Cooper,	Kerlin,	Munley,	Varner,
Coyle,	Kohl,	Murray, J. J.,	Wallace,
Curwood,	Kolankiewicz,	Musto,	Walsh,
Dougherty,	Kornick,	Needham,	Wargo,
Downey,	Kratz,	Olsen,	Welsh,
Farabaugh,	Kromer,	Parlante,	Wescott,
Fenrich,	Kubacki,	Peta,	White,
Filo,	Lederer,	Petrosky,	Whitenight,
Fleischman,	Leonard,	Polaski,	Williams,
Flynn,	Leven,	Polen,	Yetzer,
Frost,	Light,	Poltenstein,	Zeitz,
Gibson,	Lopresti,	Readinger,	Smith, C. C.,
Gleason,	Lutty,	Reidenbach,	Speaker
Glick,	Maguire,		

NOT VOTING—27

Boies,	Goodling,	Limper,	Shoemaker,
Breth,	Guss,	McInroy,	Shotwell,
Buchanan,	Gutendorf,	Metz,	Varallo,
Cianfrani,	Hoggard,	Moore,	Watkins,
Cochran,	Ide,	Naugle,	Wheeler,
Erb,	Kline,	Pettigrew,	Worley,
Floyd,	Lafore,	Pfaff,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The following bill was taken up out of order by unanimous consent of the House:

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

On the question,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 308), page 2, line 8, by striking out "Costs" and inserting in lieu thereof: "Values".

Amend Sec. 1 (Sec. 308), page 2, line 12, by striking out out "COSTS" and inserting in lieu thereof "values".

Amend Sec. 1 (Sec. 308), paage 2. line 13. by striking "costs" and inserting in lieu thereof: "value".

Amend Sec. 1 (Sec. 308), page 2, line 14. by striking out "cost" and inserting in lieu thereof: "value".

Amend Sec. 1 (Sec. 308), page 2, line 18, by striking out "cost" and inserting in lieu thereof: "value".

Amend Sec. 1 (Sec. 308), page 3, line 4, by striking out "cost" and inserting in lieu thereof "value".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

CAUCUS

Mr. ANDREWS. Mr. Speaker, the minority desires a brief caucus.

The SPEAKER. Would the gentleman state how much time will be required?

Mr. ANDREWS. I can only judge our time by the time sometimes taken by the majority to discuss similar matters. I would hope that we would be back in less than a half hour.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess of thirty minutes. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

BILLS INTRODUCED AND REFERRED

By Messrs. KUBACKI and READINGER.

HOUSE BILL No. 1478.

An Act to amend Section 443 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by authorizing employes to seek or accept employment and be employed by more than one manufacturer of malt or brewed beverages.

Referred to the Committee on Liquor Control.

By Mr. TOMPKINS. HOUSE BILL No. 1479.

An Act to further amend Section 802 of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by changing the provisions relating to furlough.

Referred to the Committee on State Government.

By Mr. TOMPKINS (By Request).

HOUSE BILL No. 1480.

An Act to amend section four hundred one of the act,

approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any person undergoing imprisonment to participate in any riot, rout, assembly or affray, and fixing the penalty therefor.

Referred to the Committee on Law and Order.

By Mr. TOMPKINS (By Request).
HOUSE BILL No. 1481.

An Act to add section seven hundred ten point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any person sentenced for any term of years to commit an assault by any means likely to produce great bodily injury, and fixing the penalty therefor.

Referred to the Committee on Law and Order.

By Mr. TOMPKINS (By Request).
HOUSE BILL No. 1482.

An Act to add section seven hundred ten point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any person sentenced to life imprisonment to commit an assault by any means likely to produce great bodily injury, and fixing the penalty therefor at death.

Referred to the Committee on Law and Order.

By Messrs. OGILVIE, MOODY, HOCKER and ZIEGLER. HOUSE BILL No. 1483.

An Act authorizing certain persons on active duty with the armed forces of the United States to act as notaries public and validating certain acknowledgments and affidavits.

Referred to the Committee on Military Affairs.

By Mr. CONNELLY. HOUSE BILL No. 1484.

An Act to further amend Section 7 of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427), entitled "An act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," by providing for the release of prisoners without the entry of bail in certain cases.

Referred to the Committee on Judiciary.

By Mr. THOMPSON. HOUSE BILL No. 1485.

An Act regulating the emission of smoke, dust and fumes into the atmosphere; establishing a State Smoke Control Commission in the Department of Health and fixing its powers and duties; providing for the organization of the various counties into smoke control districts, the appointment of their various officers and employes, and prescribing their powers and duties; providing financial assistane to such smoke control districts; authorizing the county commissioners to make appropriations thereto; and fixing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. VAUGHAN, PAUL F. JONES, SCHUSTER, PETROSKY, RICHTER and WILT.
HOUSE BILL No. 1486.

An Act to further amend clause (b) of Section 207 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by fixing the minimum prices of wines.

Referred to the Committee on Liquor Control.

By Mr. WHALLEY. HOUSE BILL No. 1487.

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating the mining of bituminous coal by the open pit mining method.

Referred to the Committee on Mines and Mining.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. RAGOT, PEIFLY and IDE.
RESOLUTION No. 67.

In the House of Representatives, June 11, 1953.

Whereas, The Governor of the Commonwealth, the Honorable John S. Fine, has designated the week of June 21-27, 1953, as "Pennsylvania Canning Industries Week," in recognition of the contributions made to Pennsylvania's prosperity by farmers, can-manufacturers and canners of food and industrial products, and

Whereas, The enterprise of these groups brings to the people of the Commonwealth an income of many millions of dollars annually from the nation-wide distribution of Pennsylvania products packed in metal containers, and

Whereas, These associated industries are memorializing the start of the Commonwealth's great canning industry 106 years ago by one, Harrison Woodhull Crosby, at Easton, Pennsylvania, it is hereby

Resolved, That the General Assembly of Pennsyania take cognizance of the achievements of Crosby and those who have followed him in creating an important segment of the Keystone State's economy, by urging the citizenry of our great Commonwealth to observe "Pennsylvania Canning Industries Week."

Referred to the Committee on Rules.

By Mr. REIDENBACH. RESOLUTION (Not printed).

In the House of Representatives, June 11, 1953.

M. L. Goodman, co-publisher of The Scranton Tribune and the Scrantonian, after an illness of several years, died on June 2, 1953, at his Winter Home in Miami Beach, Florida.

Mr. Goodman was one of Scranton's leading citizens and one who assisted in the laudable aims of virtually every humanitarian and civic undertaking over the past three decades.

As one of his many friends in paying tribute to his memory stated, Mr. Goodman's life is a dramatic illustrtiaon of the possibilities of American young manhood imbued with a firm determination to make good, since Mr. Goodman had come to America as a boy from Europe, who began his life in this country selling newspapers and

rose to become a great newspaper publisher and magazine distributor and the Vice-President of one of Scranton's leading banks. His interests were wide, his energies great and his humanitarianism, a boon to many.

Scranton has lost a great leader and Pennsylvania a great citizen; therefore be it

Resolved, That the members of the House of Representatives extend their sympathy to the surviving members of Mr. Goodman's family and requests the Clerk of the House to send a copy of this resolution to a son of M. L. Goodman, Herman S. Goodman, of the Scranton Tribune, Scranton; to a daughter, Mrs. David Rose, wife of Judge David Rose of Boston, Mass.; and a brother, Morris Goodman, Circulation Manager of The Scrantonian and Manager of the Anthracite News Co., and a sister, Mrs. Rose Messing, 1000 Vine Street, Scranton.

Referred to the Committee on Rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 30, entitled:

An Act to amend section 464 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manfacturing purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain licenses fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating appeals and providing for appeals from the Superior Court to the Supreme Court

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 226, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the reassessment of certain property in townships of the first class in certain cases and imposing liability for township taxes upon the owners thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1114, entitled:

An Act to add clause (n) to Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by authorizing the Department of Forests and Waters to grant certain privileges on land under its jurisdiction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1115, entitled:

An Act to amend subsection (f) of Section 906 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by authorizing the Pennsylvania Game Commission to grant certain privileges on land under its jurisdiction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1368, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing provisions relating to voting by persons in actual military service when present in their districts of resident in which ballots are used.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 325, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination

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of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 168, entitled:

An Act to further amend the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further regulating the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act to further amend Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by designating employes of the County Planning Commission as county employes.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 492, entitled:

An Act authorizing justices of the peace aldermen and magistrates to perform official duties of other justices of the peace aldermen and magistrates in the same county during certain periods of illness and vacation and providing penalties

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 627, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain utility rates to be approved by the Pennsylvania Public Utility Commission.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 769, entitled:

An Act to add Section 141.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing county treasurers to appoint their own solicitors

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 778, entitled:

An Act relating to the burden of proof in actions of defamation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 782, entitled:

An Act concerning actions for libel slander or other torts barring certain actions regulating the recovery of damages and making uniform the law with reference thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 789, entitled:

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing that bonds of county officers and employes shall protect against the loss of money by robbery and burglary and requiring the county to pay the cost of such bonds

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 850, entitled:

An Act empowering a court in which is pending an action on behalf of the estate of a decedent to make an order approving a compromise or settlement of such action and to approve an agreement for counsel fees and other proper expenses incident to such action and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 765, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1401, entitled:

An Act authorizing corporations to grant stock options pensions and allowances under certain circumstances and validating stock options pensions and allowances heretofore granted

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1419, entitled:

An Act to amend Section 14 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and development of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other oblgiations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by removing the requirement for approval of the Department of Internal Affairs covering obligations of the Authority

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1420, entitled:

An Act to amend Section 6 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1633) entitled "An act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation" by changing limitation as to tenant admissions in urban redevelopment projects

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1421, entitled:

An Act to amend Section 12 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental

redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by providing for the admission of certain evidence before the board of view or the court of common pleas

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 50, entitled:

An Act to further amend section 306 and to amend subsection A of section 318 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes and providing for the powers duties and liabilities of such trustees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 189, entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by making certain changes in the grievance procedure provided for in the act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 216, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provsions of the act, and changing the date on which the period of redemption commences to run on tax claims.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 228, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire

facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 322, entitled:

An Act to amend the title and sections 1 and 2 of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 323, Printer's No. 299

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 324, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 359, Printer's No. 121

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 525, entitled:

An Act to amend the title and subsection (h) of section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 528, Printer's No. 234

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 155, Printer's No. 404

House Bill No. 643, Printer's No. 396, and

House Bill No. 1203, Printer's No. 390

were passed over at the request of the SPEAKER.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 1298 as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in the fifteenth ward of the City of Al entown Lehigh County Pennsylvania bounded and described as follows

Beginning at a point in the northerly side line of River Drive said point being distant northerly 154.9 feet from station 774+75.18 of the stone monumented center line of the Lehigh and Susquehanna Railroad measured on a radical line therefrom being at the end of the ninth course in the conveyance from the Commonwealth of Pennsylvania to the Central Railroad Company of Pennsylvania dated October 31 1951

Thence along other lands of the Commonwealth north 58 degrees 1 minute 30 seconds west 47 feet to a point thence on a curve to the right having a radius of 891.5 feet a distance of 290.14 feet to a point of tangency thence south 50 degrees 37 minutes 20 seconds west 392.66 feet to a point of curve thence on a curve to the right having a radius of 536.5 feet a distance of 76.35 feet to a point thence south 31 degrees 13 minutes 30 seconds east 47 feet to a point in the northerly side of said River Drive said point being distanced northerly 309.57 feet from station 782+83.60 of the stone monumented center line measured on a radical line therefrom of the Lehigh and Susquehanna Railroad thence along the northerly right-of-way of the Lehigh and Susquehanna Railroad on a curve to the left having a radius of 583.5 feet a distance of 83.16 feet to a point of tangency thence along the same north 50 degrees 37 minutes 20 seconds east 392.66 feet to a point of curve thence along the same on a curve to the left having a radius of 938.5 feet a distance of 305.44 feet to the place of beginning containing .831 acre and being part of the same land transferred to the Commonwealth of Pennsylvania by Robert E Wright and Mary D Wright his wife by deed dated April 3 1903 and recorded in deed book "Y" volume 173 page 111

The conveyance shall be made under and subject to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The moneys received as the purchase price shall be paid into the General Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, C. C.,
Barkdoll,	Hall,	McWherter,	Smith, W. B.,
Baumunk,	Hamilton, R. K.,	Metz,	Snider,
Bazin,	Hamilton, W. H.,	Mihm,	Spencer,
Bear,	Harris,	Mikula,	Stank,
Blair,	Haudenshield,	Miller,	Stevenson,
Bolton,	Helm,	Mills,	Stimmel,
Bomberger,	Hersch,	Monroe,	Stone,
Boory,	Hewitt,	Moody,	Stoner,
Bower,	Hocker,	Moore,	Strausser,
Breisch,	Jenkins,	Moran,	Sucher,
Brown,	Jim,	Moscrip,	Taylor,
Bucchin,	Johnson,	Muldowney,	Thomas,
Buchanan,	Jones, Geo. E.,	Munley,	Thompson,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Toll,
Capano,	Jones, Paul F.,	Murray, P. G.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Musto,	Toomey,
Clapper,	Jump,	Needham,	VanSant,
Comer,	Kamyk,	Ogilvie,	Varner,
Connelly,	Keller,	Olsen,	Vaughan,
Conner,	Kent,	Parlante,	Verona,
Cooper,	Kerlin,	Peifly,	Wall,
Coyle,	Kohl,	Peta,	Wallace,
Curwood,	Kolankiewicz,	Petrosky,	Walsh,
Davis,	Kornick,	Phillips,	Wargo,
Dougherty,	Kratz,	Polaski,	Waterhouse,
Down,	Kromer,	Polen,	Weidner,
Downey,	Kubacki,	Poltenstein,	Welsh,
DuBois,	Lederer,	Price,	Wescott,
Dunn,	Leisey,	Quisenberry,	Whalley,
Ewing,	Leonard,	Ragot,	White,
Farabaugh,	Leven,	Readinger,	Whitenight,
Fenrich,	Light,	Reagan,	Willaredt,
Ferster,	Lippincott,	Reidenbach,	Williams,
Filo,	Lopresti,	Richter,	Wilt,
Flack,	Lovett,	Rosen,	Wood,
Fleischman,	Lutty,	Rovansek,	Yeakel,
Flynn,	Maguire,	Royer,	Yetzer,
Frost,	Mahan,	Rubin,	Young,
Geer,	Markley,	Sarraf,	Zeitz,
Gibson,	Mathews,	Schmidt,	Ziegler,

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 608, Printer's No. 83, on page 23 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 124, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the

Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Welfare of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Welfare

State Council for the Blind

Board of Trustees of Eastern State Pnitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Dixmonth State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

Board of Trustees of Larelton State Village

Board of Trustees of Pennhust State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which ae acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the

.....

(descriptive name of political subdivision

.....

.....

in which institution is located)

Section 2 Section 401 of said act as last amended by acts approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 353) and the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1245) is hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex-officio

The [terms of the members] terms of each member of each such board shall be four years and until [there successors are qualified] his successor is appointed and qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of Scotland School for Veterans' Children

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney State Teachers' College
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Dixmonth State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

Boards of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slipper Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College

Section 3 Section 2318 of said act as last amended by the acts approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) and the thirty-first day of May one thousand nine hnudred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia
Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford
Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview
Board of Trustees at Rockview of the Minimum Security Prison at Rockview
The Pennsylvania Industrial School at Rockview
The Pennsylvania Institution for Delinquent Defectives at Rock View
Board of Trustees of Pennsylvania Institution for Defective Delinquents and upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees of the Pennsylvania Training School for Girls of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy
Board of Trustees of Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn of the Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown
Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania
Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Dixmont State Hospital of Dixmont State Hospital at Dixmont

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Penhurst State School of State Institution for the Feeble-Minded and Eplipetic of Eastern Pennsylvania at Penhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epilepitcs at Selinsgrove

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Granville E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 135, Printer's No. 304,
House Bill No. 633, Printer's No. 281,
House Bill No. 651, Printer's No. 204,
House Bill No. 738, Printer's No. 314,
House Bill No. 814, Printer's No. 97,
House Bill No. 834, Printer's No. 345,
House Bill No. 894, Printer's No. 299 and
House Bill No. 900, Printer's No. 392,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, entitled:

An Act to amend clause (e) of and to add clause (e.1) to Section 401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each

city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by providing for the care of seniles on leave of absence from State mental hospitals and elimating certain obsolete provisions.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 952 entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending revising and consolidating the law relating thereto," by further providing for filling of vacancies in certain offices and for notice and publication of fire protection codes and ordinances; authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds; increasing the criminal jurisdiction of the mayor as an alderman; authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising; authorizing certain street construction and improvement by city employes and the sale of real estate by the city at public sale; providing for payment by city of certain costs in connection with shade trees, and further regulating purchases and contracts.

On the question,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker. I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 801), page 3, line 1, by striking out the bracket before "until"

Amend Sec. 1 (Sec. 801), page 3, line 4, by inserting a bracket before and after "ninety" and inserting immediately thereafter thirty

Amend Sec. 1 (Sec. 801), page 3, line 4, by striking out the bracket after "office"

Amend Sec. 1 (Sec. 802), page 4, line 15, by striking out the bracket before "until"

Amend Sec. 1 (Sec. 802), page 4, line 17, by inserting a bracket before "one" and after "twenty" and inserting immediately thereafter two hundred

Amend Sec. 1 (Sec. 802), page 4, line 19, by striking out the bracket after "his"

Amend Sec. 1 (Sec. 802), page 5, line 1, by striking out the bracket before "election"

Amend Sec. 1 (Sec. 802), page 5, line 1, by inserting a bracket before "until"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 1098, Printer's No. 393,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1143 as follows:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" by requiring the General Assembly to approve the designation of limited access highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section two of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" is hereby amended to read as follows

Section 2 (a) The Secretary of Highways with the approval of the Governor and the General Assembly is hereby authorized to declare any State highway route or part thereof now or hereafter established to be a limited access highway

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,

Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1150 Printer's No. 323,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1220 as follows:

An Act adopting the Scribner log rule as the standard log rule for determining the board foot content of saw logs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Scribner log rule is hereby adopted as the standard log rule for determining the board foot content of saw logs and all contracts hereafter entered into for the cutting purchase and sale of saw logs shall be deemed to be made on the basis of such standard rule unless some other method of measurement is specifically agreed upon

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Scnwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1227 as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction or reconstruction and equipment of an office building thereon for the use of the Bureaus of Motor Vehic'es and Highway Safety

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much of the money in the Motor License Fund as may be needed from time to time but not to exceed the sum of three million dollars ($3,000,000) is hereby appropriated to the Department of Property and

Supplies for the purchase in the name of the Commonwealth of land (with or without buildings thereon) and for the erection construction or reconstruction and equipment of an office building thereon suitable for the proper conduct of the administrative work of the Bureaus of Motor Vehicles and Highway Safety of the Department of Revenue and the accommodation of the public transacting business with said bureaus

The site and the plans shall be subject to the approval of the Governor and the Department of Revenue The title to any land acquired shall be approved by the Department of Justice The office building when constructed shall be used only for those purposes and activities authorized by article nine section eighteen of the Constitution of the Commonwealth of Pennsylvania

The procedure for the acquisition of land and the erection construction reconstruction and equipment of the office building authorized in this act shall be in accordance with the procedure prescribed by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as "The Administrative Code of 1929"

Section 2 The appropriation made by this act shall be available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell.
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Granlle E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1240 entitled:

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal gas and oil and the underground storage of gas in underground strata by regulating the location drilling reconditioning and abandoning of oil and gas wells through workable coal seams providing for the protection of said coal and said wells providing for the regulation of the underground storage of gas in the vicinity of or under coal mines providing for the filing of information relating to the underground storage of gas and the operation of coal mines providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines imposing duties upon gas storage operators persons operating coal mines other persons engaged in operations affecting the mining of coal or the underground storage of gas and the Department of Mines and Courts of Common Pleas and prescribing methods for the enforcement of such duties granting certain corporations the right of eminent domain to appropriate interests in real property for surface and subsurface operations in connection with the underground storage of gas providing for hearings and appeals and providing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. KENT. Mr. Speaker, I am requesting that House Bill 1240 be passed over today, and in making the request, I would like to report to the Members of the House, since the question came up Tuesday, that even during Tuesday, yesterday, and today the representatives of both the gas industry and the coal industry have been meeting in Pittsburgh. I am reliably informed that they are very close to an amicable agreement, which it is my hope will provide the solution to a very serious problem and the one with which this bill deals.

I would further like to make a request of the gas industry people and also the coal industry people that since my feeling is that the Members of the legislature have been flooded with correspondence, all sorts of pressure, telephone calls and everything else concerning this bill, that they refrain from any more activity as far as the Members of the Legislature are concerned in regard to the bill during the time that the negotiations are being carried on.

Mr. TOMPKINS. In line with the remarks of the gentleman from Crawford, Mr. Kent, regarding House Bill 1240, I would like also to request that both sides, the coal and the gas interests refrain from contacting Members of the Legislature in any way until this question comes before the House for further attention.

Mr. READINGER. Mr. Speaker, I rise to thank the two gentlemen for requesting the two interested parties to stop bombarding us with all that propaganda.

BILL PASSED OVER

There being no objection

House Bill No. 1240, Printer's No. 389,

was passed over at the request of Mr. KENT.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by providing for the transportation, sale and delivery of manure.

On the question,

Will the House agree to the bill on third reading?

Mr. LEISEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2), page 3, line 16, by inserting after "apply" (i).

Amend Sec. 1 (Sec. 2), page 3, lines 18 and 19, by striking out "or at any time when manure is trans-" in line 18 and all of line 19.

Amend Sec. 1 (Sec. 2), page 4, lines 1 to 4, by striking out all of said lines and inserting in lieu thereof "or (ii) at any time when manure is sold or transported in lots of two ton or less by contract between two persons and used exclusively by the purchaser and not offered for resale, or (iii) at any time when manure is delivered in carload lots to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. MORAN. Mr. Speaker, may I ask if the amendments that are being offered contain chlorophyll?

The SPEAKER. The Chair understands the amendments are going to clean the bill up a bit.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended.

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1265, as follows:

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first second class A and third classes boroughs and townships of the first class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by defining the rights of lessees of parking facilities extending the power to lease parking facilities and to exchange properties authorizing temporary bonds and further providing for acquiring property by eminent domain

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 5 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first second second A and third classes boroughs and townships of the first class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" as amended by the act approved the tenth day of May one thousand nine hundred fifty-one (P. L. 291) is hereby further amended to read as follows

Section 5 Purposes and Powers General

(a) The Authority incorporated under this act shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof and shall be known as the Parking Authority of the city borough or township of the first class but shall in no way be deemed to be an instrumentality of the city borough or township of the first class or engaged in the performance of a municipal function The Authority shall be for the purpose of conducting the necessary research activity to maintain current data leading to efficient operation of off-street parking facilities for the fulfillment of public needs in relation to parking establishing a permanent coordinated system of parking facilities planning designing locating acquiring holding constructiong improving maintaining and operating owning leasing either in the capacity of lessor or lessee land and facilities to be devoted to the parking of vehicles of any kind Provided however That the Authority shall not have the power to engage in the sale of gasoline the sale of automobile accessories automobile repair and service or any other garage service and shall not engage in the sale of any commodity of trade or commerce

The Authority shall have the power to lease portions of the [first floor] street level or lower floors of the parking facilities for commercial use including the sale by the lessee of any commodity of trade or commerce or any service where in the opinion of the Authority such leasing is desirable and feasible in order to assist in defraying the expenses of the Authority Such leases shall be granted on a air competitive basis

Section 2 Clause (4) of subsection (b) of Section 5 and subsection (a) of Section 6 of said act are hereby amended to read as follows

Section 5 Purposes and Powers General
* * * * *

(b) Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights or powers
* * * * *

(4) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purpose of the Authority and to sell lease as lessor exchange transfer and dispose of any property or interest therein at any time required by it

Section 6 Purposes and Powers Bonds

(a) The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates their interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denomination be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any officer thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine Provided That the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definitive bonds interim receipts or temporary bonds with or without coupons may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Section 3 Section 9 of said act as last amended by the act approved the tenth day of May one thousand nine hundred fifty-one (P. L. 291) is hereby further amended to read as follows

Section 9 Acquisition of Lands

The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such rights title interest or easement in such lands as the Authority may deem necessary for any of the purposes mentioned in this act Provided however That no property devoted to a public use nor any property of a public service company property used for burial purposes places of public worship nor property which at the [effective date of this act] date when this act became effective with respect to such city borough or township of the first class is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinances of the city borough and township of the first class shall be taken under the right of eminent domain The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by cities boroughs and townships of the first class in which the Authority exists Provided That the viewers may take into consideration and may assess damages for expenses incurred for the removal of fixtures equipment and merchandise

The right of eminent domain herein conferred by this section may be exercised only within the city borough and township of the first class

Court proceedings necessary to acquire property or property rights for purposes of this act shall take precedence over all causes not involving the public interest in all courts to the end that the provision of parking facilities be expedited

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1295, entitled:

An Act providing for joint action by the States of Delaware, New Jersey, and New York and the Commonwealth of Pennsylvania in developing, utilizing, controlling, and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply; authorizing the Governor, for these purposes, to enter into a compact with the States of New Jersey, Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent hereto; creating the Delaware River Basin Water Commission and specifying the powers and duties thereof, including the powers of eminent domain and the power to finance projects by the issuance of bonds; providing for the appointment of the Pennsylvania members of the said Commission; approving an integrated water project; requiring the Commission to prepare and report plans and specifications for specific projects; and requiring certain prior approvals by the Legislatures of the compacting States.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Is this bill called up, Mr. Speaker?

The SPEAKER. The Chair would ask the gentleman from Lancaster, Mr. Wood, to answer that question.

Mr. TOMPKINS. If it is, this bill is going to be extremely controversial. I would ask that this bill be passed over.

The SPEAKER. Without objection, the Chair will withdraw its decision as to this bill having been agreed to on third reading.

Mr. ANDREWS. I just want to express my astonishment that such an intelligent gentleman as the gentleman from Cameron should say that the bill in question was in any sense controversial because I thought it contained the very essence of wisdom and cooperation.

BILL PASSED OVER

There being no objection

House Bill No. 1295, Printer's No. 353

was passed over at the request of Mr. TOMPKIN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1296, as follows:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor of the Commonwealth of Pennsylvania is hereby authorized and directed to execute a compact on behalf of the Commonwealth of Pennsylvania with any one or more of the States of Delaware Maryland New Jersey Virginia and West Virginia who may by their legislative bodies so authorize a compact in form substantially as follows

Middle Atlantic Interstate

Forest Fire Protection Compact

Article I

The purpose of this compact is to promote effective prevention and control of forest fires in the Middle Atlantic region of the United States by the development of integrated forest fire plans by the maintenance of adequate forest fire fighting services by the member states and by providing for mutual aid in fighting forest fires among the compacting states of the region and with states which are party to other regional forest fire protection compacts or agreements

Article II

This compact shall become operative immediately as to those states ratifying it whenever any two or more of the states of Delaware Maryland New Jersey Pennsylvania Virginia and West Virginia which are contiguous have ratified it and Congress has given consent thereto

Article III

In each state the State forester or officer holding the equivalent position who is responsible for forest fire control shall act as compact administrator for that State and shall consult with like officials of the other member States and shall implement cooperation between such states in forest fire prevention and control

The compact administrators of the member States shall organize to coordinate the services of the member States and provide administrative integration in carrying out the purposes of this compact

The compact administrators shall formulate and in accordance with need from time to time revise a regional forest fire plan for the member States

It shall be the duty of each member State to formulate and put in effect a forest fire plan for that State and take such measures as may be necessary to integrate such forest fire plan with the regional forest fire plan formulated by the compact administrators

Article IV

Whenever the State forest fire control agency of a member State requests aid from the State forest fire control agency of any other member State in combating controlling or preventing forest fires it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home

Article V

Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact the employes of such State shall under the direction of the officers of the State to which they are rendering aid have the same powers (except the power of arrest) duties rights privileges and immunities as comparable employes of the State to which they are rendering aid

No member state or its officers or employes rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith

All liability except as otherwise provided hereinafter that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid shall be assumed and borne by the requesting State

Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to or expense incurred in the operation of any equipment answering a request for aid and for the cost of all materials transportation wages salaries and maintenance of employes and equipment incurred in connection with such request Provided That nothing herein contained shall prevent any assisting member State from assuming such loss damage expense or other cost or from loaning such equipment or from donating such services to the receiving member State without charge or cost

Each member State shall provide for the payment of compensation and death benefits to injured employes and the representatives of deceased employes in case employes sustain injuries or are killed while rendering out-

side aid pursuant to this compact in the same manner and on the same terms as if the injury or death were sustained within such State

For the purposes of this compact the term employe shall include any volunteer or auxiliary legally included within the forest fire fighting forces of the aiding State under the laws thereof

The compact administrators shall formulate procedure for claims and reimbursement under the provisions of this article in accordance with the laws of the member States

Article VI

Nothing in this compact shall be construed to authorize or permit any member State to curtail or diminish its forest fire fighting forces equipment services or facilities and it shall be the duty and responsibility of each member State to maintain adequate forest fire fighting forces and equipment to meet demands for forest fire protection within its borders in the same manner and to the same extent as if this compact were not operative

Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention control and extinguishment of forest fires or to prohibit the enactment or enforcement of State laws rules or regulations intended to aid in such prevention control and extinguishment in such State

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States

Article VII

The compact administrators may request the United States Forest Service to act as the primary research and coordinating agency of the Middle Atlantic Interstate Forest Fire Protection Compact in cooperation with the appropriate agencies in each State and the United States Forest Service may accept the initial responsibility in preparing and presenting to the compact administrators its recommendations with respect to the regional fire plan Representatives of the United States Forest Service may attend meetings of the compact administrators

Article VIII

The provisions of Articles IV and V of this compact which relate to mutual aid in combating controlling or preventing forest fires shall be operative as between any State party to this compact and any other State which is party to a regional forest fire protection compact in another region Provided That the Legislature of such other State shall have given its assent to such mutual aid provisions of this compact

Article IX

This compact shall continue in force and remain binding on each State ratifying it until the Legislature or the Governor of such State takes action to withdraw therefrom Such action shall not be effective until (6) months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact

Section 2 When the Governor shall have executed said compact on behalf of this Commonwealth and shall have caused a verified copy thereof to be filed with the Secretary of the Commonwealth and when said compact shall have been authorized by the Legislature and executed by the Governor of one or more of the States named in Section one of this act then said compact shall become operative and effective as between this Commonwealth and such other State or States The Governor is hereby authorized and directed to take such action as may be necessary to complete the exchange of official documents as between this Commonwealth and any other State authorizing said compact

Section 3 The Secretary of Forests and Waters or someone designated by him shall act as compact administrator for the Commonwealth and represent the Commonwealth in the Middle Atlantic Interstate Forest Fire Protection Compact

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1300 as follows:

An Act to add section five of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" is hereby amended by adding immediately following section four thereof a new section to read as follows

Section 5 The Department of Internal Affairs is directed to transmit all fees heretofore collected and all fees collected in the future under the provisions of this act to the State Treasurer through the Department of Revenue for deposit to the credit of the General Fund and appropriations to carry out the provisions of this act are to be made from the General Fund upon proper budgetary request

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Granle E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Clanfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1323, Printer's No. 334,

House Bill No. 1343, Printer's No. 282 and

House Bill No. 1349, Printer's No. 336,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1351, as follows:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever a city of the second class adopts an ordinance pursuant to the provisions of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" and its amendments and a taxpayer is required to file a tax return and pay a tax imposed on the value of the annual gross business transacted by him such taxpayer's return shall not be examined nor shall an additional tax be imposed on such taxpayer on account of any ordinance rule or regulation which declares certain activities to be in a retail business classification and which were allowed by the taxing authorities to be included in the wholesale business classification in previous returns unless such ordinance rule or regulation is adopted prior to the date such return is required to be filed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1352, as follows:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and business therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" as reenacted and amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1238) is hereby further amended by adding after Section 8 thereof a new section to read as follows

Section 8.1 Review of Returns Reassessment of Taxes No tax return shall be reexamined nor an additional tax imposed on any taxpayer on account of any rule or regulation which declares certain activities to be included in the retail business classification and which were allowed by the taxing authorities to be included in the wholesale business classification in previous returns unless such rule or regulation is approved prior to the date such return is required to be filed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,

Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1359, Printer's No. 342,

House Bill No. 1376, Printer's No. 283 and

House Bill No. 1377, Printer's No. 284,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1422, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for the issuance of special three-day licenses to nonresidents by increasing the maximum license revocation period for a first offense and allowing appeals from acknowledgments of violations by eliminating the requirements for tags before shipping raw furs to other states by increasing the penalty for failure or refusing to stop vehicle or conveyance upon request or signal of an officer in full uniform and by providing additional penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article three of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended by adding immediately following section three hundred three a new section to read as follows

Section 303.1 Three-Day Licenses to Nonresidents to Hunt on Regulated Shooting Grounds Every person sixteen (16) years of age or upward upon application in writing to the authorized agent in such form as the commission may prescribe and the presentation of proof that he or she is a nonresident of the Commonwealth but a citizen of the United States and in the case of naturalized foreign-born nonresidents the production of such applicant's naturalization papers shall upon the payment to the issuing agent of three dollars ($3.00) for the use of the commission and fifteen cents ($.15) for the use of the issuing agent be entitled to the license herein referred to as a "Three-Day Special Regulated Shooting Ground License" which shall be valid for a period of three (3) consecutive days Sundays excluded and shall entitle the holder thereof to hunt take or kill on lawfully operated regulated shooting grounds all wild birds and wild animals which may be legally hunted taken or killed in this Commonwealth on such grounds and to participate in a shoot held thereon under a regulated shooting grounds permit

A tag or button in such size and form as the commission may determine shall be issued with each license which tag or button the license is required to wear in plain view on an outer garment at all times while using it in such manner that the tag or button and the numerals thereon is plainly visible The holder of such license shall be subject to the restrictions and requirements of all laws and regulations of the commission now in force or hereafter adopted and to the penalties prescribed for violation thereof

Upon filing an appropriate bond with corporate surety in the sum of one thousand dollars ($1000) approved by the Department of Justice the permittees of regulated shooting grounds or an officer of a corporate permittee who for the purpose are hereby made agents of the Department of Revenue shall be authorized to issue Three-Day Non-resident Licenses for use on the grounds of the issuing permittees

Each issuing agent shall keep a record and make monthly reports and remittances in the form and manner and at the time prescribed by sections three hundred ten and three hundred eleven of The Game Law

Nothing herein contained shall prevent holders of nonresident hunting licenses from hunting on regulated shooting grounds by requiring them to obtain an additional license as prescribed above

Section 2 Clause (a) of subsection (3) of section three hundred fifteen of said act is hereby amended to read as follows

Section 315 Revocation of Licenses Right to Hunt or Trap Denied

* * * * *

(3) Such license revocations shall be for the following periods

(a) For the first offense any person convicted or having signed an acknowledgment subject to a right of appeal of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed [two] three years Any person convicted or having signed an acknowledgment of a second or subsequent offense of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of not less than two or more than three years For the third offense of violating any of the provisions of this act such person shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for such period as the commission shall determine

* * * * *

Section 3 Section six hundred five of said act is hereby repealed

Section 4 Clause (o) of section seven hundred thirty-one of said act which was amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 810) is hereby further amended to read as follows

Section 731 Penalties Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

* * * * *

(c) For failure or refusing to stop any vehicle or conveyance being operated upon any public highway within this Commonwealth upon request or signal of any officer in full uniform whose duty it is to enforce the game law contrary to the provisions of this article [ten] fifty dollars

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 163, as follows:

An Act to further amend the last paragraph of section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by electric cooperative corporations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 1941) is hereby further amended to read as follows

Section 507 Purchases

* * * * *

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for utility service furnished by public utility companies political subdivisions and authorities or if services shall not be available from any of these sources then for utility services furnished by electric cooperative corporations

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Glick,	McCann,	Schwartz,
Alexander,	Goodling,	McCormack,	Scott,
Amarando,	Gramlich,	McCullough,	Seyler,
Andrews,	Greenwood,	McDermit,	Shoemaker,
Ashton,	Guss,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker
Gleason,	Maxwell,	Schuster,	

NAYS—1

Baumunk,

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 165, as follows:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-one thousand dollars ($41,000) or as much thereof as may be necessary is hereby specifically appropriated from the World War II Veterans' Compensation Fund to the Department of Military Affairs for the two fiscal years beginning June first one thousand nine hundred fifty-three for the purpose of paying salaries wages postage printing and other necessary expenses incurred in payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 278

Senate Bill No. 217, Printer's No. 30 and

Senate Bill No. 218, Printer's No. 21

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 262, as follows:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examina- and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 406) is hereby further amended to read as follows

Section 211.1 Assessments to Defray Expenses of Committee on Valuation of Securities of the National Association of Insurance Commissioners

* * * * *

(f) This section shall become effective the first day of June one thousand nine hundred forty-nine and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [fifty-three] fifty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 292, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exhanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 202 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing

for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 202 Purposes for Which Companies May Be Incorporated Underwriting Powers

* * * * *

(g) Stock fire stock marine stock fire and marine and stock casualty insurance companies may be incorporated for any or all of the purposes mentioned in subdivisions (b) and (c) of this section

Section 2 Section 206 of said act subsection (e) of which was amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2527) and the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2528) is hereby further amended to read as follows

Section 206 Minimum Capital and Financial Requirements To Do Business (a) Stock life insurance companies organized under this act to insure lives and to grant and dispose of annuities must have a paid up capital of not less than two hundred thousand dollars ($200,000) Stock life insurance companies organized under this act for all of the purposes mentioned in clause (1) subdivision (a) of section two hundred and two (202) must have a paid up capital of at least three hundred thousand dollars ($300,000) Every such company shall in addition thereto have a surplus paid in at least equal to fifty per centum of the subscribed capital

(b) Stock fire stock marine and stock fire and marine insurance companies organized under this act for any of the purposes mentioned in either clauses (1) or (2) of subdivision (b) section two hundred and two (202) of this act must have a paid up capital of not less than one hundred thousand dollars ($100,000) if organized for all of the purposes mentioned in clauses (1) and (2) or in clause (3) of subdivision (b) section two hundred and two (202) of this act two hundred thousand dollars ($200,000) and if organized for all of the purposes mentioned in clauses (1) (2) and (3) of subdivision (b) of section two hundred and two (202) of this act four hundred thousand dollars ($400,000) Every such company shall in addition thereto have a surplus paid in at least equal to fifty per centum (50%) of the subscribed capital

(c) Stock casualty companies organized under this act for any of the purposes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act must have a paid up capital of not less than one hundred thousand dollars ($100,000) except companies organized for the purpose of credit insurance which must have a paid up capital of not less than two hundred thousand dollars ($200,000) and companies organized to guarantee the fidelity of persons and contracts of suretyship which must have a paid up capital of at least two hundred and fifty thousand dollars ($250,000) Stock casualty companies organized under this act may undertake two or more classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act by providing at least fifty thousand dollars ($50,000) additional paid up capital for each additional class of insurance except in case credit or fidelity and surety insurance is added to any other line or lines in which case the additional paid up capital for credit insurance shall be one hundred thousand dollars ($100,000) and the additional paid up capital for fidelity and surety insurance shall be two hundred thousand dollars ($200,000) Any such stock casualty company with a paid up capital of three hundred thousand dollars ($300,000) may transact all of the classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act except credit livestock and fidelity and surety insurance and a company with a paid up capital of seven hundred and fifty thousand dollars ($750,000) may transact all of the classes of insurance mentioned Every such company shall in addition thereto have a surplus paid in at least equal to fifty per centum (50%) of the subscribed capital

(d) Companies organized under this act to insure lives on the mutual plan must have applications for insurance to the amount of one million dollars ($1,000,000) by not less than four hundred persons Companies organized under this act to insure lives on the mutual plan must also have a guarantee capital before commencing business of not less than two hundred thousand dollars ($200,000)

(e) Mutual companies other than mutual life companies and other than title insurance companies hereafter organized under this act shall comply with the following conditions

[(1) Each such company shall hold bona fide applications for insurance upon which it shall issue simultaneously or it shall have in force at least twenty (20) policies to at least twenty (20) members for the same kind of insurance upon not less than two hundred (200) separate risks each within the maximum single risk described herein

(2) The "maximum single risk" shall not exceed three times the average risk or one per centum (1%) of the insurance in force whichever is the greater]

[(3) It shall have collected a cash premium upon each application which premium shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal in case of fire insurance to not less than twice the maximum single risk assumed subject to one fire nor less than twenty-five thousand dollars ($25,000) and in any oher kind of insurance to not less than five times the maximum single risk assumed nor less than fifty thousand dollars ($50,000) and in case of workmen's compensation insurance to not less than one hundred thousand dollars]

(1) Each such company shall hold bona fide applications for at least twenty (20) policies to be issued promptly and simultaneously to at least twenty (20) policyholders or members upon not less than two hundred (200) separate risks each within the maximum single risk described herein upon the granting of the certificate of authority to do business

(2) The "maximum single risk" shall not exceed three times the average risk or one per centum (1%) of the total insurance applied for whichever is the greater

(3) It shall have collected at least an annual cash premium upon each of such applications which premium shall be held in cash or securities in which such insurance companies are authorized to invest In the case of companies organized for any one of the purposes mentioned in paragraphs (1) or (2) or (3) of subdivision (b) of section two hundred two of this act the said cash premiums together with any sum or sums of money which may be advanced under section eight hundred nine of this act shall amount to not less than twenty-five thousand dollars ($25,000) for the purpose mentioned in each numbered paragraph of subdivision (b) If organized for all of the purposes mentioned in paragraphs (1) (2) and (3) of subdivision (b) of section two hundred two of this act the said cash premiums together with any sum or sums of money which may be advanced under section eight hundred nine of this act shall amount to not less than fifty thousand dollars ($50,000) In the case of companies organized for any one of the purposes mentioned in subdivision (c) of said section two hundred two except paragraphs (1) and (4) the said cash premiums collected together with any sum or sums of money advanced under the said section eight hundred nine shall amount to not less than ten thousand dollars ($10,000) for the purpose mentioned in each numbered paragraph of said subdivision (c) for the purpose mentioned in either numbered paragraph (1) or (4) of said subdivision (c) such amount shall be not less than twenty-five thousand dollars ($25,000) Provided That in no event shall a company be organized for any of the purposes mentioned in said subdivision (c) unless the amount collected as premiums together with the sum or sums of money advanced under said section eight hundred nine shall amount to not

less than fifty thousand dollars ($50,000) nor shall a company be organized for all of the purposes mentioned in said subdivision (c) unless the cash premiums so collected and the sum or sums of money so advanced shall amount to not less than one hundred sixty thousand dollars ($160,000)

(4) In the case of companies hereafter organized under this act for the purposes mentioned in subdivisions (b) and (c) of section two hundred two of this act each such company shall meet the requirements of paragraphs (1) and (2) of subdivision (e) of this section and the required sum of the cash premiums collected and money advanced under said section eight hundred nine shall not be less than the aggregate of the sum required under paragraph (3) of subdivision (e) of this section for the purposes for which the company is to be incorporated

[(4)] (5) For the purpose of transacting employers liability and workmen's compensation insurance the application shall cover not less than five thousand (5,000) employes each such employe being considered a separate risk for determining the maximum single risk

(f) Every stock fire stock marine stock fire and marine or stock casualty company organized under this act for any or all of the purposes mentioned in both subdivisions (b) and (c) of section two hundred two of this act must have paid up capital and paid in surplus of not less than the aggregate amount of paid up capital and paid in surplus required for such purpose or purposes of a stock fire stock marine and stock fire and marine insurance company in subdivision (b) and of a stock casualty insurance company in subdivision (c) of this section

Section 3 Section 322 of said act as last amended by the act aproved the nineteenth day of July one thousand nine hundred fifty one (P. L 1100) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 322 Amendment of Charter

* * * * *

Before any domestic stock fire stock marine stock fire and marine or stock casualty insurance company transacting business under subdivisions (b) or (c) of section two hundred two of this act may procure an amendment to its charter for the transaction of additional kinds or classes of business under subdivisions (b) or (c) or both said section two hundred two it must have a paid up capital and a paid in or accumulated surplus in amounts required by subdivisions (b) or (c) or both section two hundred six of this act for incorporation for its present and proposed additional purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh,
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 299, as follows:

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" are hereby amended to read as follows

Section 203 Articles of Agreement Any ten or more natural persons [citizens of this Commonwealth] of full age and either sex married or single at least two-thirds of whom are citizens of the United States or its terri-

tories or possessions may associate in accordance with the provisions of this act and form an incorporated company of any of the classes enumerated in section two hundred and one (201) of this article Such persons shall associate by articles of agreement in writing which agreement shall specify

(a) The name by which the company shall be known

(b) The class of insurance for the transaction of which it is constituted

(c) The plan or principle upon which the business is to be conducted

(d) The place in which it is to be established or located

(e) In the case of a stock company the amount of its capital

(f) The general objects of the company

(g) The proposed duration of the company

(h) The powers it proposes to have and exercise

Section 308 Election of Directors and Trustees Terms Vacancies At the annual meeting the stockholders or members shall elect by ballot from their own number not less than seven directors or trustees [a majority of whom shall be residents of this Commonwealth to] who shall be natural persons of full age and who need not be residents of this Commonwealth unless the articles or by-laws so require Provided however That at least two-thirds of the said directors or trustees shall be citizens of the United States or its territories or possessions Such persons shall serve for one year and until their successors are duly chosen and qualified

Any insurance company may provide in its by-laws for the division of its board of directors or trustees into two three or four classes and may provide for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year vacancies may be filled by an election by the board of directors or trustees for the unexpired term

Section 2 The provisions of this act shall be become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Pariante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 302, as follows:

An Act to amend section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filling thereof

The General Assembly of the Commonmealth of Pennsyrvania hereby enacts as follows

Section 1 Section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for tne incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 308 Election of Directors and Trustees Terms Vacancies At the annual meeting the stockholders or members shall elect by ballot from their own number not less than seven directors or trustees a majority of whom shall be residents of this Commonwealth to serve for one year and until their successors are duly chosen

Any insurance company may provide in its by-laws for the division of its board of directors or trustees into two three or four classes and may provide for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year Vacancies including vacancies resulting from an increase in the number of directors or from failure of the stockholders to fill any class of directors may be filled by an election by the board of directors or trustees for the unexpired term

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being on objection

Senate Bill No. 304, Printer's No. 289

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 312, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" is hereby amended to read as follows

Section 12 In any case where a strip mining operation after completion shall leave anthracite exposed the operator shall be required on written order of the department to cover the exposed surface of the anthracite to a depth of five (5) feet in order to prevent the spread of fire to the unmined anthracite Nothing contained in this act shall be construed to mean that the covering material required by this section or material deposited in the stripping pit whether five (5) feet or more in depth shall be leveled or planted with trees grasses or shrubs as provided in section fourteen of this act

Section 2 Section fourteen of the said act is hereby amended to read as follows

Section 14 In all cases in which the Secretary of [Forests and Waters] Mines shall find as a fact that the planting of such areas is reasonable practicable and likely to succeed the peaks and ridges of such spoil banks shall be leveled and rounded off to such an extent as will permit the planting of trees grasses or shrubs Within one (1) year after the strip mining operation on the premises is terminated the operator shall plant trees shrubs or grasses upon the surface of the spoil banks and the surface of backfills Any operator however may at his option pay to the Department of Forests and Waters the sum of sixty dollars ($60.00) per acre for each acre of such surface of spoil banks and backfillings and thereby shall be released from any duty to plant as herein provided The moneys so paid from time to time shall be placed in a special fund in the hands of the Treasury Department of the Commonwealth and shall be used by the Department of Forests and Waters to pay the cost of planting such trees grasses or shrubs and the supervision of such work and all other expenses necessary for or connected with such planting and are hereby appropriated to the Department of Forests and Waters for such purposes Any moneys remaining unused after such planting may be used for planting any other lands affected by strip mining of anthracite coal All planting required by this

act to be done by the operator shall be done subject to the supervision and approval of the Secretary of [Forests and Waters and upon such approval the secretary shall certify such performance to the Department of Mines] Mines If upon inspection the Secretary of [Forests and Waters] Mines does not approve the planting he shall notify the operator in writing setting forth the objections and after a hearing shall order the planting to be completed in accordance with his final decision by either the operator or by the Department of Forests and Waters

Section 3 Section sixteen of the said act is hereby amended to read as follows

Section 16 If and when the Secretary of Mines shall find that the operator has completed the backfilling and other acts as required by this act [and shall receive the certificate of the Secretary of Forests and Waters that planting has been done or the payment has been made if and as required by section 14 of this act] he shall issue a release of the bond or of the cash and securities deposited Upon the presentation of such release the State Treasurer shall immediately return to the operator the amount of cash or securities specified in its release

Section 4 Section nineteen of the said act is hereby amended to read as follows

Section 19 The right of the operator or of any other person whose property may be adversely affected to a hearing before the making of any final order or adjudication by the Secretary of Mines [or by the Secretary of Forests and Waters] and to appeal therefrom shall exist in acocrdance with the procedure prescribed in the Administrative Agency Law of June 4 1945 (P. L. 1388) and the Rules of Civil Procedure promulgated by the Supreme Court of this Commonwealth Such rights to a hearing and to appeal shall also be enjoyed by the duly authorized officials of the political subdivision or subdivisions in which the authorized operation is located

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 349, Printer's No. 120

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 446, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating workmen's compensation and occupational disease insurance rates and changing the provision relating to such insurance as to policy requirements suits for premiums and annual reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 651 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 651 Policy Provisions Every policy of insurance against liability under the "Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto shall contain the agreement of the insurer to pay all compensation and provide all medical surgical and hospital attendance for which the insured

employer may become liable under [the act] such acts during the term of such insurance and the further agreement that as between the insurer and any claimant under [the act] such acts notice to the employer or the employer's knowledge of an accident or injury or disability caused by occupational disease constituting the basis of a claim under [the act] such acts shall be notice to and knowledge of the insurer Such agreements shall be construed to be a direct promise to the injured employe or to the dependents of a deceased employe having a claim under [the act] such acts and shall be enforceable by action brought in the name of such injured employe or in the name of such dependents Such obligation shall not be affected by any default of the insured after [the] an accident or after disability caused by occupational disease in the payment of premiums or in the giving of any notices required by such policy or otherwise

Section 2 Section 652 of the act as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 983) is hereby further amended to read as follows

Section 652 Suits for Premiums No suit shall be maintained for the collection of premiums upon any policy of insurance under "The Workmen's Compensation Act of nineteen hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto which violates any of the provisions of this act All premiums and interest charges on account of policies insuring employes against liability under this chapter which may be due to the State [insurance fund] Workmen's Insurance Fund or any stock corporation or mutual association authorized to transact the business of insurance in this State and all judgments recovered by the State [insurance fund] Workmen's Insurance Fund or any such insurance corporation or association against any employer on actions brought under any such policy shall be deemed preferred claims in all insolvency or bankruptcy proceedings trustee proceedings for administration of estates and receiverships involving the employer liable therefor or the property of such employer provided however that claims for wages shall receive prior preference in all such proceedings

Section 3 Section 653 of the act is hereby amended to read as follows

Section 653 Prohibited Policy Provisions No policy of insurance against liability under "The Workmen's Compensation Act of nineteen hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto shall contain any limitation of the liability of the insurer to an amount less than that for which the insured employer may become liable under [the act] such acts during the term of such insurance No such policy or contract of insurance nor any agreement to deliver such insurance shall be issued except upon a form approved by the Insurance Commissioner as complying with all the terms and provisions of this act But a policy may be issued to a self-insurer qualified under section three hundred five of article three of "The Workmen's Compensation Act of nineteen hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under section three hundred five of article three of "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto providing for the payment of any stated loss in excess of ten thousand dollars falling upon such self insurer under the terms of the said [act] acts by reason of any single accident or by reason of any single occurrence resulting in disability from occupational disease

Section 4 Section 654 of the act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 607) is hereby further amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof or supplementary thereto and for insurance under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto and for insurance with respect to the Commonwealth of Pennsylvania as to liability under "The United States Longshoremen's and Harbor Workers' Compensation Act" of one thousand nine hundred twenty-seven and acts amendatory thereof or supplementary thereto written as a part of a Workmen's Compensation and Employers' Liability policy shall be proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule [of] or merit [or] rating plans for insurance of employers and employes under ["The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof] such acts shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner may obtain a review thereof before the Insurance Commissioner and if still aggrieved by such reviewed order classification rule rate or schedule may obtain a further review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior Court of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentially the same hazard

Neither the State Workmen's Insurance Fund nor any insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against such liability under ["The Workmen's Compensation Act of one thousand nine hundred and fifteen" and acts amendatory thereof] such acts except in accordance with the classifications underwriting rules premium rates and [schedules] schedule or merit rating plans proposed by the rating bureau or bureaus aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

Notwithstanding any other provisions of this section upon the written consent of the insured stating his reasons therefor filed with and approved by the Insurance Commissioner a rate in excess of that determined in accordance with the other provisions of this section may be used on any specific risk

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of in-

surance against such liability under ["The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof] such acts and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau or bureaus aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 655 of the act is hereby amended to read as follows

Section 655 Annual Report of Premiums and Loss Experience Penalties The State Workmen's Insurance Fund and every insurance company and every employes' mutual liability association which insures employers [or] and employes under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto or with respect to Pennsylvania under the "United States Longshoremen's and Harbor Workers' Compensation Act" of one thousand nine hundred twenty-seven and acts amendatory thereof or supplementary thereto when such liability is insured as a part of a Workmen's Compensation and Employers' Liability policy shall annually on or before the thirtieth day of June file with the Insurance Commissioner a sworn report of its premium and loss experience in such detail and form as may be prescribed by the Insurance Commissioner Any insurance carrier which neglects to make and file such statement in the form or within the time herein provided shall forfeit one hundred dollars for each day during which such neglect continues and upon notice by the Insurance Commissioner its authority to do business shall cease while such default continues

The Insurance Commissioner shall have the power to suspend or revoke the license of any insurance company which violates any of the provisions of subdivision (d) of this article

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 447, as follows:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2 3 5 and 8 of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" are hereby amended to read as follows

Section 2 As hereafter used in this act unless the context or subject matter otherwise require

"Stock Fund" means the stock workmen's compensation security fund

"Mutual Fund" means the mutual carrier and reciprocal exchange workmen's compensation security fund created by this act

"Funds" means the stock workmen's compensation security fund and the mutual carrier and reciprocal exchange workmen's compensation security fund

"Fund" means either the stock fund or the mutual carrier and reciprocal exchange fund as the context may require

"Fund year" means the calendar year

"Stock Company" means any stock corporation authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent stock company

"Mutual carrier" means any corporation or association organized and operating on the mutual plan including the State Workmen's Insurance Fund authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent mutual carrier

"Reciprocal exchange" means any association or group of persons exchanging contracts of insurance or indemnity on the reciprocal or inter-insurance plan authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent reciprocal exchange

"Carrier" means either a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the context may require

"Insolvent stock company" "insolvent mutual carrier" or "insolvent reciprocal exchange" means a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the case may be which has been determined to be insolvent or for which or for the assets of which a receiver or liquidator howsoever entitled has been appointed by a court or public officer of competent jurisdiction and authority after the effective date of this act

"Commissioner" means the Insurance Commissioner of this Commonwealth

"Workmen's Compensation Law" means the workmen's Compensation Act of 1915 or any supplement [and] or amendment thereto or revision thereof and the Pennsylvania Occupational Disease Act of 1939 or any supplement or amendment thereto or revision thereof

Section 3 There is hereby created a fund to be known as "The Stock Workmen's Compensation Security Fund" for the purpose of assuring to persons entitled thereto the compensation provided by the [workmen's compensation law] Workmen's Compensation Law for employments insured in insolvent stock companies Such fund shall be applicable to the payment of valid claims for compensation heretofore or hereafter made pursuant to the [workmen's compensation act] Workmen's Compensation Law and remaining unpaid in whole or in part by reason of the default after the effective date of this act of an insolvent stock company Expenses of administration also shall be paid from the fund as herein provided Such fund shall consist of all contributions received and paid into the fund by stock companies as herein defined all property and securities acquired by and through the use of moneys belonging to the fund and of interest earned upon moneys deposited or invested as herein provided The fund shall be administered by the commissioner in accordance with the provisions of this act

Section 5 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every stock company shall pay into the stock fund on the first day of September one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending June thirtieth one thousand nine hundred and thirty-eight and thereafter each such stock company upon filing each annual return shall pay a sum equal to one per centum of its net written premiums for the period covered by such return When the aggregate amount of all such payments into the stock fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all stock companies for the payment of benefits under the Workmen's Compensation [Act] Law as of June thirtieth next preceding no further contributions to said fund shall be required to be made Provided however That whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said stock fund or by reasons of an increase of the loss reserves of all stock companies then such contribution to said fund shall be resumed from such date as the commissioner shall prescribe and shall continue until such fund over and above its know liabilities shall be equal to five per centum of such reserves

Section 8 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every mutual carrier and reciprocal exchange shall pay into the mutual fund on the first day of September one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending June thirtieth one thousand nine hundred and thirty-eight and thereafter each such mutual carrier and each such reciprocal exchange upon filing each annual return shall pay a sum equal to one per centum of its net written premiums as shown for the period covered by such return When the aggregate amount of all such payments into the mutual fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all mutual carriers and reciprocal exchanges for the payment of benefits under the Workmen's Compensation [Act] Law as of June thirtieth next preceding no further contributions to said fund shall be required to be made Provided however That whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said date by reason of payments from and known liabilities of said mutual fund or by reason of an increase of the loss reserves of all mutual carriers and reciprocal exchanges then such contributions to said fund shall be resumed from such date as the commissioner shall prescribe and shall continue until such fund over and above its know liabilities shall be equal to five per centum of such reserves

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by increasing the permitted amount of insurance coverage in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection 4 of Section 2 of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" is hereby amended to read as follows

Section 2 Policies Issued to Employers or Trustees of Employer Funds A policy issued to an employer or to the trustees of a fund established by an employer to insure employes of the employer for the benefit of persons other than the employer shall be subject to the following requirements

* * * * *

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the employes or by the employer or trustees No policy may be issued which provides term insurance on any employe which together with any other term insurance under any group life insurance policy or policies issued to the employers or any of them or to the trustees of a fund established in whole or in part by the employers or any of them exceeds twenty thousand dollars ($20,000) or one and one-half times the basic annual earned income of the employe whichever is the greater but in no case exceeding forty thousand dollars ($40,000)

Section 2 Subsection 4 of Section 4 of said act as amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 605) is hereby further amended to read as follows

Section 4 Policies Issued to Labor Unions or Police Fraternities A policy issued to a labor union or a police fraternity to insure members of such union or fraternity for the benefit of persons other than the union or fraternity or any of its officials representatives or agents shall be subject to the following requirements

* * * * *

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the union or fraternity No policy may be issued which provides term insurance on any union or fraternity member which together with any other term insurance under any group life insurance policies issued to the union or fraternity exceeds twenty thousand dollars ($20,000) or one and one-half times the basic annual earned income of the member whichever is the greater but in no case exceeding forty thousand dollars ($40,000)

Section 3 Subsection 4 of Section 5 of said act is hereby amended to read as follows

Section 5 Policies Issued to Trustees of Joint Funds A policy issued to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more employers and one or more labor unions to insure employes of the employers or members of the unions for the benefit of persons other than the employers or the unions shall be subject to the following requirements

* * * * *

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder employers or unions No policy may be issued which provides term insurance on any person which together with any other term insurance under any group life insurance policy or policies issued to the employers or any of them or to the trustees of a fund established in whole or in part by the employers or any of them exceeds twenty thousand dollars ($20,000) or one and one-half times the basic annual earned income of the person whichever is the greater but in no case exceeding forty thousand dollars ($40,000)

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL SPASSED OVER

There being no objection

Senate Bill No. 489, Printer's No. 290,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 501, as follows:

An Act to further amend Sections 307 and 1501 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the Satte government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for disbursements from the Historical Preservation Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 307 and 1501 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 593) are hereby further amended to read as follows

Section 307 Disbursements No money shall be paid from any of the funds of the State Treasury except upon warrant of the Auditor General issued upon requisition pursuant to law except (1) moneys in the State Workmen's Insurance Fund which may be disbursed by check to the State Treasurer upon requisition of the Secretary of Labor and Industry and (2) moneys in the Surplus Commodities Stamp Fund which may be disbursed by check to the State Treasurer upon requisition of the Secretary of Public Assistance [and (3) moneys in the Historical Preservation Fund which may be disbursed by check to the State Treasurer upon requisition of the Pennsylvania Historical and Museum Commission]

Section 1501 Requisitions No money shall be paid out of any fund in the State Treasury except (1) the State Workmen's Insurance Fund and (2) the Surplus Commodities Stamp Fund [and (3) the Historical Preservation Fund] until a requisition therefor shall have been presented to or prepared by the Auditor General

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Gleason,	Maxwell,	Schuster,
Alexander,	Glick,	McCann,	Schwartz,
Amarando,	Goodling,	McCormack,	Scott,
Andrews,	Gramlich,	McCullough,	Seyler,
Ashton,	Greenwood,	McDermit,	Shoemaker,
Auker,	Guss,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Bomberger,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	VanSant,
Clapper,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kohl,	Peta,	Walsh
Curwood,	Kolankiewicz,	Petrosky,	Wargo,
Davis,	Kornick,	Phillips,	Waterhouse,
Dougherty,	Kratz,	Polaski,	Weidner,
Down,	Kromer,	Polen,	Welsh,
Downey,	Kubacki,	Poltenstein,	Wescott,
DuBois,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,

Ferster,	Lippincott,	Reidenbach,	Wilt,
Fillo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—19

Boies,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

The General Asembly of the Commonwealth of Penn sylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain [appropriations made to the Department of Forests and Waters Department of Health Department of Labor and Industry Department of Public Instruction Department of State Department of Welfare and the Judicial Department by the act to which this is a supplement are hereby specifically appropriated to the department as follows]

I Executive Department

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deck hands watchmen laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of partol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of twenty-three thousand dollars ($23,000)

To the Department of Health

For the payment of the deficiency in the appropriation for the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of three million four hundred thirty-three thousand eight hundred twenty-three dollars ($3,433,823)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and livestock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of one hundred thousand dollars ($100,000)

To the Department of Labor and Industry

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board Deputy Secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of ninety-nine thousand dollars ($99,000) for the payment of the deficiency in the appropriation for the payment of salaries wages and other expenses for the administration of Social Security Administration Fund the sum of six thousand dollars ($6,000)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of nineteen thousand dollars ($19,000)

For the payment of the deficiency in the appropriation for the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of School of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of one hundred sixty-four thousand seven hundred ninety-nine dollars ($164,799)

For the payment of the deficiency in the appropriation for the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of four thousand dollars ($4,000)

For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement Fund to the credit of the contingent reserve account of the School Employes' Retirement Fund as required by law the sum of five million one hundred eleven thousand eighty-six dollars ($5,111,086)

For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund

as required by law the sum of one million seven hundred forty-seven thousand seven hundred nineteen dollars ($1,747,719)

To the Department of State

For the payment of the deficiency in the appropriation for the payment into the State Employes' Retirement Fund to the credit of the contingent reserves account the sum of one hundred sixty thousand dollars ($160,000)

To the Department of Welfare

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of one hundred twenty thousand dollars ($120,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of four hundred thousand dollars ($400,000)

II Judicial Department

Supreme Court

For the payment of the deficiency in the appropriation for the payment of the salaries of the Supreme Court Judges the sum of three hundred eighty-one dollars seventy-nine cents ($381.79)

For the payment of the deficiency in the appropriation for the payment of the salary and expenses of the criers tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western Districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one thousand two hundred fifty dollars ($1250)

For the payment of the deficiency in the appropriation for the payment of the fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western Districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred nineteen the sum of one thousand five hundred dollars ($1500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

Court of Common Pleas

For the payment of the deficiency in the appropriation for the payment of the salaries of the judges of the Courts of Common Pleas learned in the law in the several judicial districts of the Commonwealth the sum of seventy-one thousand dollars ($71,000)

Orphans' Court

For the payment of the deficiency in the appropriation for the payment of the salaries of the Orphans' Court Judges in the several judicial districts in which separate Orphans' Courts have been established by law the sum of one thousand seven hundred dollars ($1700)

County Court of Allegheny County

For the payemnt of the deficiency in the appropriation for the payment of the salaries of the judges of the county court for County of Allegheny the sum of four hundred dollars ($400)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Glick,	McCann,	Schwartz,
Alexander,	Goodling,	McCormack,	Scott,
Amarando,	Gramlich,	McCullough,	Seyler,
Andrews,	Greenwood,	McDermit,	Shoemaker,
Ashton,	Guss,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Bolton,	Hersch,	Monroe,	Stoner,
Bomberger,	Hewitt,	Moody,	Strausser,
Boory,	Hocker,	Moore,	Sucher,
Bower,	Jenkins,	Moran,	Taylor,
Breisch,	Jim,	Moscrip,	Thomas,
Brown,	Johnson,	Muldowney,	Thompson,
Bucchin,	Jones, Geo. E.,	Munley,	Toll,
Buchanan,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Needham,	Varner,
Clapper,	Kamyk,	Ogilvie,	Vaughan,
Comer,	Keller,	Olsen,	Verona,
Connelly,	Kent,	Parlante,	Wall,
Conner,	Kerlin,	Peifly,	Wallace,
Cooper,	Kohl,	Peta,	Walsh
Coyle,	Kolankiewicz,	Petrosky,	Wargo,
Curwood,	Kornick,	Phillips,	Waterhouse,
Davis,	Kratz,	Polaski,	Weidner,
Dougherty,	Kromer,	Polen,	Welsh,
Down,	Kubacki,	Poltenstein,	Wescott,
Downey,	Lederer,	Price,	Whalley,
Dunn,	Leisey,	Quisenberry,	White,
Ewing,	Leonard,	Ragot,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Fenrich,	Light,	Reagan,	Williams,
Ferster,	Lippincott,	Reidenbach,	Wilt,
Filo,	Lopresti,	Richter,	Wood,
Flack,	Lovett,	Rosen,	Yeakel,
Fleischman,	Lutty,	Rovansek,	Yetzer,
Flynn,	Maguire,	Royer,	Young,
Frost,	Mahan,	Rubin,	Zeitz,
Geer,	Markley,	Sarraf,	Ziegler,
Gibson,	Mathews,	Schmidt,	Smith, C. C., Speaker
Gleason,	Maxwell,	Schuster,	

NAYS—1

DuBois,

NOT VOTING—19

Boles,	Floyd,	Lafore,	Varallo,
Breth,	Gutendorf,	Limper,	Watkins,
Cianfrani,	Hoggard,	Naugle,	Wheeler,
Cochran,	Ide,	Pettigrew,	Worley,
Erb,	Kline,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

BILLS INTRODUCED AND REFERRED

By Messrs. BANKER, RAGOT AND GREENWOOD. HOUSE BILL NO. 1488.

An Act to amend Section 18 of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissions of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents and boards of school directors; and imposing penalties," by making special provisions for manner of registration in boroughs, towns and townships of less than a certain population in certain counties; and providing penalties.

Referred to the Committee on Elections and Apportionment.

By Mr. JOHNSON. HOUSE BILL No. 1489.

An Act to further amend subsection (a) of Section 823 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating official inspections of motor vehicles, trailers and semi-trailers.

Referred to the Committee on Motor Vehicles.

ADJOURNMENT

Mr. JOHNSON. Mr. Speaker, I move that this House do now adjourn until Monday, June 22, 1953, at 12:00 noon E.S.T.

The motion was agreed to, and (at 6:21 p. m. E.S.T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, JUNE 15, 1953. No. 51.

SENATE

MONDAY, June 15, 1953.

The Senate met at 2:00 o'clock p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Dear, Father, we thank Thee for the wonderful fellowship we had with Thee yesterday when we met with our friends in Thy House. We pray that Thou wilt help us to realize that when we are in our conferences and meetings, Thou are always a silent observer; perhaps silent because we have not asked Thee to help us. Help us to understand that Thou wilt help us there just as much as when we meet together in Thy House.

We pray sincerely that Thou wilt guide our hearts and minds that we may bring solutions to these problems which are facing us and the people of this Commonwealth, because when we walk with Thee and talk with Thee, Thou wilt always lead us in the right way. We ask it in Thy Holy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. PECHAN, because of important personal business.

He also asked and obtained leave of absence for Mr. PEELOR, because of important personal business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF STATE BOARD OF PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas M. Hyndman, Sr., Esq., 1010 Fidelity-Philadelphia Trust Building, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Public Assistance, until the third Tuesday of January 1958, and until his successor shall be appointed and qualified, to fill a vacancy.

JOHN S. FINE

MEMBER OF BUCKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eleanore K. Lear (Republican), 192 East Court Street, Doylestown, Bucks County, for appointment as a member of the Bucks County Board of Assistance, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Rev. Charles F. Freeman, Doylestown, resigned.

JOHN S. FINE

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 171, PRINTER'S No. 63

Commonwealth of Pensylvania,
Governor's Office, Harrisburg, June 10, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 171, Printer's No. 63, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDENT. The bill will be laid on the table.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 41

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 41, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river: authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; enlarging the jurisdiction and powers of said commission with respect to the acquisition, construction, administration, operation and maintenance of port and terminal facilities, the financing thereof, and the fixing, charging and collecting of tolls and other charges for the use of said port and terminal facilities; authorizing the issuance of negotiable bonds and obligations of the commission; providing for the designation of deputies to act for and in behalf of absent ex-officio members of said commission from Pennsylvania; authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 165

He also returned to the Senate, Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 262

He also returned to the Senate, Senate Bill No. 262, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 292

He also returned to the Senate, Senate Bill No. 292, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact, requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance, fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 299

He also returned to the Senate, Senate Bill No. 299, entitled:

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 302

He also returned to the Senate, Senate Bill No. 302, entitled:

An Act to amend section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by enumerating certain types of vacancies occuring in the board of directors of insurance companies and providing for filling thereof.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 312

He also returned to the Senate, Senate Bill No. 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law" by amending sections twelve, fourteen, sixteen and nineteen.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 446

He also returned to the Senate, Senate Bill No. 446, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating workmen's compensation and occupational disease insurance rates and changing the provision relating to such insurance as to policy requirements suits for premiums and annual reports.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 447

He also returned to the Senate, Senate Bill No. 447, entitled:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Di-

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 465

He also returned to the Senate, Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring noitce of conversion privileges" by increasing the permitted amount of insurance coverage in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 501

He also returned to the Senate, Senate Bill No. 501, entitled:

An Act to further amend Sections 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursements from the Historical Preservation Fund.

with the information that the House has passed the same without amendments.

SENATE BILL No. 163 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 163, entitled:

An Act to further amend the last paragraph of section five hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by electric cooperative corporations in certain cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 557 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1152

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act, approved the seventeenth day of May, one thousand nine hundred forty-five (P. L. 624), entitled "An act requiring the recorder of deeds of every county, except counties of the second class, to report transfers of property to the commissioners of townships of the first class," by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

HOUSE CONCURS IN SENATE BILL No. 410

He also returned to the Senate, Senate Bill No. 410, entitled:

An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March, one thousand nine hundred fifty-one (P. L. 28), entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof and of their personnel; uathorizing mutual aid compacts, and providing penalties," by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 416.

He also returned to the Senate, Senate Bill No. 416, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the powers and duties of the Department of Health, Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture.

with the information that the House has passed the same without amendments.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties

Which was committed to the Committee on State Government.

House Bill No. 866, entitled:

An Act to further amend section 6 of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county, abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing

for the acceptance of this act by cities," by providing that the assessed valuation of property shall be based upon an established predetermined ratio of its actual value.

Which was committed to the Committee on Local Government.

House Bill No. 1001, entitled:

An Act to amend paragraph (a) of section eleven of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with developers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by requiring certain redevelopers to reimburse public utilities for the costs of removing altering constructing reconstructing locating relocating or otherwise changing their facilities in certain cases.

Which was committed to the Committee on Corporations.

House Bill No. 1143, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" by requiring the General Assembly to approve the designation of limited access highways

Which was committed to the Committee on Highways.

House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of services for patrolmen.

Which was committed to the Committee on Local Government.

House Bill No. 1220, entitled:

An Act adopting the Scribner log rule as the standard log rule for determining the board foot content of saw logs.

Which was committed to the Committee on Judiciary General.

House Bill No. 1227, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction or reconstruction and equipment of an office building thereon for the use of the Bureaus of Motor Vehicles and Highway Safety

Which was committed to the Committee on Appropriations.

House Bill No. 1265, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled, as amended, "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first, second, second A and third classes, boroughs, and townships of the first class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem, and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State, political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by defining the rights of lessees of parking facilities; extending the power to lease parking facilities and to exchange properties; authorizing temporary bonds; and further providing for acquiring property by eminent domain.

Which was committed to the Committee on Judiciary General.

House Bill No. 1296, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies, to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown, Lehigh County, Pennsylvania, and providing for the disposition of the proceeds of the purchase moneys.

Which was committed to the Committee on State Government.

House Bill No. 1300, entitled:

An Act to add section five to the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request

Which was committed to the Committee on State Government.

House Bill No. 1336, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property and occupations for county, borough, town, township, school and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the aceptance of this act by cities," by further defining the manner of making assessments and regulating appeals.

Which was committed to the Committee on Local Government.

House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

Which was committed to the Committee on Local Government.

House Bill No. 1352, entitled:

An Act to further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collecton; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by limiting review of tax returns and imposition of additional taxes in certain cases.

Which was committed to the Committee on Local Government.

House Bill No. 1422, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for the issuance of special three-day licenses to nonresidents by increasing the maximum license revocation period for a first offense and allowing appeals from acknowledgments of violations by eliminating the requirements for tags before shipping raw furs to other states by increasing the penalty for failure or refusing to stop vehicle or conveyance upon request or signal of an officer in full uniform and by providing additional penalties

Which was committed to the Committee on Highways.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 41, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizinge the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; enlarging the jurisdiction and powers of said commission with respect to the acquisition, construction, administration, operation and maintenance of port and terminal facilities, the financing thereof, and the fixing, charging and collecting of tolls and other charges for the use of said port and terminal facilities; authorizing the issuance of negotiable bonds and obligations of the commission; providing for the designation of deputies to act and in behalf of absent ex-officio members of said commission from Pennsylvania; authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission; and hereafter constructed or acquired by said commission; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

Senate Bill No. 262, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by continuing the provisions of that section in effect for a further period.

Senate Bill No. 292, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact, requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance, fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies.

Senate Bill No. 299, entitled:

An Act to amend sections two hundred three and three hundred eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by changing certain qualifications of incorporators, directors and trustees.

Senate Bill No. 302, entitled:

An Act to amend Section 308 of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filing thereof.

Senate Bill No. 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "Anthracite Strip Mining Law," by amending sections twelve, fourteen, sixteen and nineteen.

Senate Bill No. 410, entitled:

An Act to amend subsection (e) of Section three of the act, approved the nineteenth day of March, one thousand nine hundred fifty-one (P. L. 28), entitled "An act relating to the civil defense of this State and its coordination with national defense; providing for the establishment of a State Council of Civil Defense local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts, and providing penalties," by establishing the State Council of Civil Defense a departmental administration board within the Department of Military Affairs.

Senate Bill No. 416, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

Senate Bill No. 446, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

Senate Bill No. 447, entitled:

An Act to amend the act, approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

Senate Bill No. 465, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges;" by increasing the permitted amount of insurance coverage in certain cases.

Senate Bill No. 501, entitled:

An Act to further amend Sections 307 and 1501 of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relat-

ing to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by further providing for disbursements from the Historical Preservation Fund.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Augustus S. Hines, 1201 Belfield Avenue, Drexel Hill, Delaware County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elizabeth C. Armstrong, 3021 North 4th Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the Fourteenth Ward of the City of Harrisburg, Dauphin County, until the first Monday of January 1954, vice Joseph K. Armstrong, deceased.

JOHN S. FINE.

MEMBERS OF STATE FOREST COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Forest Commission, to serve until the 3d Tuesday of January 1955, and until their successors shall have been appointed and qualified:

Thomas H. Golden, 632 Edwards Avenue, Pottsville, Schuylkill County. (Reappointment)

Edward A. Nicodemus, R. D. No. 2, Waynesboro, Franklin County. (Reappointment)

Philip H. Glatfelter, Spring Grove, York County, vice Stuart E. Weller, Ligonier, whose term expired.

Joseph F. Stauss, Benton, Columbia County, vice Ned P. Clark, Coudersport, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Esther R. Gaughan, 219 South Locust Avenue, Centralia, Columbia County, for appointment as Justice of the Peace in and for the Borough of Centralia, Columbia County, until the first Monday of January 1956, vice Joseph O. Gaughan, deceased.

JOHN S. FINE.

MEMBER OF CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. F. N. Carlson (Republican), 300 Huron Avenue Renovo, Clinton County, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Mrs. Ruby A. Brown, Renovo, whose term expired.

JOHN S. FINE.

MAJOR GENERAL OF PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Curtis, 2625 Allen Street, Allentown, Lehigh County, for appointment as Major General of the Pennsylvania National Guard, to serve until terminated.

JOHN S. FINE.

MEMBER OF UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis H. Harris (Republican), 418 Market Street, Lewisburg, Union County, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Robert V. Glover, Mifflinburg, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jacob C. Fleming, R. D. No. 1, Northumberland, Northumberland County, for appointment as Justice of the Peace in and for the Township of Point, Northumberland County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF STATE PLANNING BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore L. Hazlett, Jr., 906 Delafield Road, Pittsburgh, Allegheny County, for appointment as a member of the State Planning Board, to serve until November 17, 1953, and until his successor shall have been appointed and qualified, vice Wallace Richards, Pittsburgh, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. B. Bulick, 26 North Market Street, Selinsgrove, Snyder County, for appointment as Justice of the Peace in and for the Borough of Selinsgrove, Snyder County, until the first Monday of January 1954, vice C. B. Forgy, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES
CONNELLSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sheldon C. Cunningham, 12 Chestnut Street, Scottdale, Westmoreland County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, for the term of four years, and until his successor is qualified, vice Frank Lane, Monessen, deceased.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES
PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Elmer W. Bowman 537 Church Street, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Pennhurst State School, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oliver G. Langer, 1817 Eleventh Avenue, Altoona, Blair County, for appointment as Alderman in and for the Fifth Ward of the City of Altoona, Blair County, until the first Monday of January 1954, vice Martin J. Brennan, resigned.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James T. Taylor, 637 Belmont Street, Coatesville, Chester County, for appointment as Alderman in and for the Fourth Ward of the City of Coatesville, Chester County, until the first Monday of January 1956, vice Ernest J. Sollars, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES
KUTZTOWN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Enoch Rothermel, New Berlinville, Berks County, for appointment as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified, vice Paul H. Price, Esq., Wyomissing, resigned.

JOHN S. FINE.

MEMBER OF PUBLIC SERVICE INSTITUTE BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Nelson Yearick, 140 West Third Street, Lewistown, Mifflin County, for appointment as a member of the Public Service Institute Board for the term of four years, and until his successor is appointed and qualified, vice John A. Moran, Johnstown, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Meehan, Dushore, Sullivan County, for appointment as Justice of the Peace in and for the Borough of Dushore, Sullivan County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Board of Optometrical Examiners, for terms of four years, and until their successors shall have been appointed and qualified:

Dr. Stanley A. Brown, 110 South 5th Street, Reading, Berks County.

Dr. A. M. Peters, 17 East Mahoning Street, Danville, Montour County.

Dr. Robert W. Shepard, 113 West 11th Street, Erie, Erie County.

JOHN S. FINE.

BILL INTRODUCED AND REFERRED

Messrs. HARE and MAHANY read in place and presented to the Chair Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by designating the Department of Justice for the Department of Welfare.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, we are all probably aware of the great number of accidents which are happening today on the highways all over this Commonwealth. One of the bad features that has been accompanying these accidents is that even after the accident happens, the person who caused the accident is without any means of reimbursing the person whom he has injured.

Mr. President, I am, therefore, today introducing a bill which will cause all people who purchase cars, whether it be on time or on immediately purchasing that car, not only to protect the interest of the person who is placing the mortgage on the car but on the public at large.

BILLS INTRODUCED AND REFERRED

Messrs. WEINER and LEADER read in place and presented to the Chair Senate Bill No. 687, entitled:

An Act requiring purchasers of motor vehicles making payment on any deferred payment plan to be insured against loss resulting from the ownership, maintenance or operation of such motor vehicles; imposing penalties.

Which was committed to the Committee on Insurance.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 688, entitled:

An Act requiring egg dealers to file bonds to secure payment for eggs to producers; requiring egg dealers to secure licenses; to furnish certain notices, records and statements; authorizing the Department of Agriculture to adopt rules, regulations and orders to carry out the provisions of this act; and conferring powers and duties upon the Department of Agriculture and the Secretary of Agriculture.

Which was committed to the Committee on Agriculture.

Messrs. HOLLAND and LANE read in place and presented to the Chair Senate Bill No. 689, entitled:

An Act to add Section 3.1 to the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1120), entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains, and other self propelled engines or machines with competent employes; to provide the least number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employes; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission," by further regulating the size of locomotive crews.

Which was committed to the Committee on Corporations.

They also read in place and presented to the Chair Senate Bill No. 690, entitled:

An Act requiring railroads to maintain sidewalks and walks between tracks on all bridges and viaducts.

Which was committed to the Committee on Corporations.

PETITIONS AND REMONSTRANCES

Mr. BARR. Mr. President, I am taking the liberty to make these statements under "Petitions and Remonstrances," because the bill about which I desire to speak is on the Postponed Calendar and there is always the chance that the bill may be called up and I may not be present on the floor at that time.

Mr. President, I wish to speak concerning Senate Bill No. 480, as amended by myself and one of my colleagues on third reading, last week, June 9, 1953, and bearing Printer's Number, on our Calendar now, 304.

Mr. President, as a sponsor of this amendment, I express my deep regret that it may have caused embarrassment to any religious bodies in the Commonwealth and caused them to appear in a wrong light before the public, as would seem to be indicated by certain recent comments in the public press.

The erroneous implication has been drawn that certain

religious groups among our citizens have requested to be exempted from proper surveillance on the part of the State in the matter of the placement of children for adoption. I know of no religious group that has asked for such an exemption. I do, however, know of large religious groups among our citizens, and I know also of many judges in our courts and many private citizens, who have objected to this bill as a whole because they are convinced in conscience that this bill is far from being a complete and alequate provision for the adoption and placement of children and that it is, moreover, an unwarranted concentration of arbitrary power in the hands of an administrative department of the state government over citizens of the State.

Mr. President, I deem it particularly appropriate to quote from the "Report of the Pennsylvania Bar Association's Special Committee on Marriage and Divorce Laws and Family Courts," which report is published in the Pennsylvania Bar Association Quarterly of June 1953. I know many of the lawyers get this in the mail, and it is on page 336. I quote from the Bar Association Quarterly:

"Your committee is divided on the question of certification. Some members believe that the certification provision should not apply to sectarian agencies unless such agencies choose to be bound thereunder."

The religious groups take their stand on the sound American principle that "the child is not the mere creature of the state," as the Supreme Court of the United States has declared. They hold to the sound principle that the child and his welfare are to be protected by the court and not left to the whims of an administrative unit of the government.

Mr. President, these religious groups take their stand on the practical point, which they submit to the experience and judgment of every Orphans' Court Judge in Pennsylvania, that the civil and religious interests of every orphaned, abandoned or neglected child in this Commonwealth can far more rightfully and far more practically and effectively be entrusted to the Judges of the Orphans' Court in our various counties than to any administrative office in Harrisburg.

These religious groups of citizens demand nothing in the interest of their own children that they do not concede as the right of all other children. Likewise, the parental rights and authority which they vindicate for the members of their own respective communions, they defend for all other parents as well.

Mr. President, these religious groups are engaged in no quarrel among themselves or with any other religious groups. They are outspoken in their hopes and purpose that proper and adequate legislation be enacted in the important field of adoption and placement of children and for the correction and prevention of abuses in this delicate field of social need. However, they hold it to be destructive of the rights of parent and child alike, they hold it to be alien to our American freedom and our traditional American way of life, to give over to any administrative officer of the government such powers over citizens as are contained in this bill.

Mr. President, I speak, therefore, in defense and in praise of these groups, whatever be their religious beliefs. I admire them for their defense of the American principle that "the child is not the mere creature of the state." I applaud them in their conviction and contention that the Orphans' Courts of this Commonwealth can be depended upon to see that justice is done to any parent or child in the Commonwealth in the matter of adoption and placement of children. I repudiate the implication that in their opposition to any excessive centralized control of their age old institutions and operations of Christian charity, they are showing themselves anything but loyal, foresighted and cooperative citizens of Pennsylvania.

Mr. President, I would like to further add that at the time Senate Bill No. 480 was up before the Committee on Judiciary General, the chairman of that committee was kind enough to allow me to attend a meeting of that committee, of which I am not a member. At that time, we discussed the various bills, the so-called Senate Bills, I think they were Nos. 2, 3 and 4; Senator Kephart's bill; Senate Bill No. 480, sponsored by Senator Bane and Senator Kessler; and Senate Bills Nos. 514 and 515, sponsored by myself, Senator Taylor, Senator Dent and Senator McCusker.

Mr. President, after the time of the public hearing, it was suggested by Senator Dent—and I thought it was a very fine suggestion—that we should probably scrap all of the bills and write a new bill with a new number. The people of the Commonwealth knew these bills only by number; those who had a love for the Cox Bills, those who had a certain love for the Kephart Bill, those for the Kessler-Bane Bill and those for the McCusker-Dent-Taylor-Barr Bills. Their minds were on numbers. Unfortunately, that suggestion by Senator Dent was not taken, and it appears that this bill is in for a rocky ride for that reason.

Mr. President, I still do not think it is too late to get together again and redraw one bill or two separate bills, maybe one on procedure and one on adoption, and present them to the Senate for its action.

Mr. LANE. Mr. Speaker, I am taking advantage of the opportunity to speak under "Petitions and Remonstrances," because I understand that there is going to be a committee meeting of the Finance Committee and they plan to report out House Bills Nos. 573 and 574, which have to do with the exemption of machinery from taxation.

Mr. President, the way I read the legislation, it applies to every county except second class counties, and I want to say to the Members of the Senate here today that if this bill is reported out and passed, you certainly are cutting your noses off to spite your faces. In the first place, it is admitted by the authorities here in Harrisburg that we need $118,000,000 in additional taxes in order to balance this budget.

Mr. President, your local school districts, your township supervisors, your borough councilmen in your cities of the third class in all these other counties, in addition to the counties themselves, are confronted with a fiscal problem. It will mean that if this bill passes, the small home owner is going to assume an additional obligation and an increase in his millage, because anyone who has administrative experience knows and must admit that you have to get the money for government somewhere. It comes from some source. There is no use to be wishfully thinking on something like this; we must be practical and down to earth.

Mr. President, the reason I am taking the floor today

is because I am going to object to this legislation. I am going to object to it being read for the first time and I, of course, will oppose it in committee. In all probability, the Majority Party has the votes to report it out, but I want the people of Pennsylvania to know what they are doing, because you are working a hardship on your local political subdivisions. The school teachers of Pennsylvania want an increase in their salaries. How in the world can the local school districts assume these obligations if you are going to take away a portion of their revenue?

I say to you here today, Mr. President, this certainly is a dangerous piece of legislation, and I do not believe the majority members of the committee should arbitrarily take action until we study this. I know it was debated in the House, and we have had this problem year after year. However, when I take this floor, I want you to know that in western Pennsylvania I think there are very few counties which assess machinery. At the same time, they have that prerogative to do so, anything that is attached to the building. However, a part of the assessed valuation is included in the building. If we are going to be confronted and harassed with court cases in the counties and in our political subdivisions, we certainly are wrecking this Commonwealth.

Mr. DENT. Mr. President and Members of the Senate, under "Petitions and Remonstrances," I would like to bring the Senate of Pennsylvania up to date on something which is very important, I believe, in the matter of governmental functioning.

Mr. President, as you all know, last week I complained on the Senate floor about the situation confronting approximately 445 employees of the largest industry in my town. I wish to read a letter to the Members of the Senate and then I will make a few comments, because I think the Membership of this Senate has a very grave stake in this situation. This letter is addressed to Mr. Matthewson, of the Pennsylvania Rubber Company, Jeannette, Pennsylvania:

"Dear Mr. Matthewson:

"I am enclosing copy of a letter which Senator Martin received from the Department of the Army. This letter was sent to him because I demanded a statement chronologically setting forth the various steps that had taken place in the awarding of the gas mask contract to Firestone. This statement is not the same as the original story given to me by Mr. Young and Captain Hougen. When I first talked with them I was told that on May 26th a 'letter of intent' to award the contract to Firestone was sent that day. You will now note the change that was made.

"I still feel that exceptions should be taken to this award and the matter thoroughly investigated. However, this is a matter that must be decided by your company, keeping in mind all the factors involved.

"I wish you would give Senator Dent a copy of the letter from the Army. He has been very much interested and we have cooperated with him in the interest of the community and your company.

"With kindest regards, I am,

"Sincerely yours,
"George I. Bloom"

Mr. Bloom is representing Senator Edward Martin, Member of the United States Senate from Pennsylvania.

Mr. President and Members of this Senate, I want you to listen to me read a copy of a letter from the Office of the Secretary of the Army. Then, after you have listened to that letter, I want you to tell me whether or not there has been skulduggery and dishonesty in Washington, D. C., in the awarding of this contract. The mess that was going to be cleaned up is not only being cleaned up, but it is being made even messier. I quote from this letter addressed to the Honorable Edward Martin, United States Senate:

"Dear Senator Martin:

"Permit me to refer to your communications, addressed to the Secretary of Defense and Assistant Secretary of the Army, concerning the procurement of gas masks by the Department of the Army.

"In order that you may have full and complete information concerning this procurement, I should like to outline for you a chronology of events leading up to the award of this contract to the Firestone Company of Falls River, Massachusetts.

"On February 27, 1953,"—and I want you to keep these dates in mind—"proposals were sent to both the Firestone Company of Falls River, Massachusetts, and the Pennsylvania Rubber Company of Jeannette, Pennsylvania.

"On April 3, 1953, the Pennsylvania Rubber Company and the Firestone Company submitted tentative proposals.

"On April 22, 1953, a formal conference was held with the Firestone Company.

"On April 23, 1953, a formal conference was held with the Pennsylvania Rubber Company.

"On May 6, 1953, the Pennsylvania Rubber Company submitted a formal proposal.

"On May 8, 1953,"—two days later—"the Firestone Company submitted a formal proposal.

"The Firestone Company submitted a higher proposal; however, it was within 20% of the low bid submitted by the Pennsylvania Rubber Company. Therefore, and in line with the Office of Defense Mobilization policies, consideration was given to the labor surplus group that each of those localities were in. Falls River, Massachusetts, was in Group IV Labor Surplus Area and Jeannette, Pennsylvania, was in Group III Labor Surplus Area. In view of this fact and again in line with Defense Mobilization policies, negotiations were continued with the Firestone Company in an effort to determine whether that company could meet the low bid.

"On May 26, 1953, the Firestone Company verbally advised the contracting officer in Boston, Massachusetts, that they would meet the low bid. Accordingly, on that same date, May 26, the contracting officer verbally informed the Firestone Company that their bid had been accepted. This was confirmed by teletype the same date.

"On May 29, 1953,"—now, get this—"the Office of Defense Mobilization advised the Office, Secretary of Defense, verbally and confirmed in writing on the same date that Falls River, Massachusetts, had been recertified as a Group III Labor Surplus Area, effective May 28, 1953.

"The Department of the Army, after receiving correspondence relative to this contract and being unaware of the formal commitment made by the contracting officer, looked into the feasibility of reconsidering the award of the contract. In looking into this matter it was determined that a firm commitment had been made to the Firestone Company by the contracting officer on May 26, 1953, as indicated above. This commitment was made prior to the

notification from the Office of Defense Mobilization that Falls River, Massachusetts, was recertified from Group IV Labor Surplus Area to Group III Labor Surplus Area.

"In view of the forgoing, it is the opinion of the Department of the Army that as of the date the firm commitment was made on May 26, 1953, by the contracting officer, Falls River, Massachusetts, was in Category IV Labor Surplus Area. Therefore, the Department has no recourse but to allow the award to the Firestone Company."

Mr. President, let me bring you up to date on the skulduggery. A man by the name of Koch—K-o-c-h—is assistant to a man by the name of Kycs, who is the assistant to Wilson, the Secretary of Defense. Mr. Kycs was War Production Manager of General Motors. Mr. Koch is the Purchasing Agent, or was the Purchasing Agent up until six or eight weeks ago, of the Firestone Tire and Rubber Company. The contract was let through Mr. Kycs' office with the advice and counsel of Mr. Koch, from the Firestone Tire and Rubber Company.

Mr. President, there is no written contract from the Firestone Tire and Rubber Company where they agreed to meet the low bid. Here in plain writing and on a signed statement from the Department of the Army, they ageed to accept a verbal commitment from an agent of a large corporation to meet a low price when they have a written agreement for a higher price. They agree also to recognize a verbal agreement by some purchasing agent up in Massachusetts to buy at a price which was never established by contract negotiations, and the man at the head of the whole business is a man who came from the Firestone Tire and Rubber Company.

Now, Mr. President, it may not be serious to you Members here, but it is serious to the city of Jeannette. They are already in a No. 3 classification and if they were reclassified as of today, they would probably be in No. 4. After this layoff takes place, they will probably be even lower than that.

Mr. President and Members of the Senate, I do not know what happened to the resolution which was passed by the Senate. However, I want to say to you Members of the Senate, particularly you Members of the Republican Party, if any Democrat had ever done exactly this little deed, the five percenters whom you heard about in the last election would not have amounted to a "fiddler's damn."

Mr. President, let me tell all of you right now that this is the worst type of thievery that has ever come across the board. They planted their own man to make the purchase agreement; they planted their own man to make the recommendation; and then upon a verbal agreement they stand and give a government contract for over $2,000,000. Anybody in State Government who would be guilty of that kind of action would be immediately dismissed and probably tried.

I want to say to all of you Members of this Senate, if you do not get behind your United States Senators and insist that they do something about this type of government— this is the government that they said would be without favoritism; this was going to get rid of the culprits and all the rest of the fellows who were in Washington for being five percenters, or whatever it was. The first instance we have is the Republican National Chairman selling a building and taking ten per cent, double the take of which any Democrat was ever accused. Now we come along and find that they plant men right in the department in order that favoritism can be practiced to its worst degree.

I am telling you Members of the Senate here today that I will not let this matter lie, nor will I let it rest, until they do something about it. They must bring in the men who gave these verbal agreements and find out just why a verbal agreement supersedes a written contract, and find out exactly why Pennsylvania should be put down in a position lower than Massachusetts in the so-called realm of authority in Washington.

Mr. President, what is it? Is it that the two Republican Senators from Pennsylvania are in ill repute in Washington? Is Saltonstall supposed to be such a big dog in government that he can gobble up all of Pennsylvania's favors? What has happened to Pennsylvania, the Grand Old State? At least, you were a Republican State when there was a Democratic Administration for twenty years, but in all those twenty years, Pennsylvania received its just share of Federal Government contracts and Federal Government work.

Mr. President, here you are now, a Republican State in a Republican Administration. You have already lost Indiantown Gap to the southern States that sold themselves out last election to go along with a Republican President, contrary to their beliefs, and contrary to their political feelings and contrary to their political history. Now you are paying another debt to Massachusetts.

Mr. President, what is Pennsylvania going to do in these four years of the Eisenhower Fishing Administration? Are we going to be the suckers who bait the hook, or are we going to be the monkeys who carry the golf bag?

Mr. MAHANY. Mr. President, of course, the trouble is, with arguing about things that are happening down in Washington, we do not have the facts before us which would enable us to decide just who is guilty of this, if there is anything of which to be guilty. Therefore, Senator Dent, we might follow along and jump to a lot of conclusions which would not be based upon the facts.

Mr. President, certainly we do not know who is responsible for this, and we do not know whether they were Democrats or Republicans. Perhaps the people who are responsible for this thing were some Democrats who were frozen into their jobs by the Democratic Administration, and the Republican Administration has not been able to get rid of them.

Mr. President, I know this. As soon as Eisenhower was installed in office in Washington, the next day they did not get rid of all of the Democrats who were down there and replace them with Republicans. You will find right now in Washington that there are a great deal more Democrats than there are Republicans, unless they have had a chance to change over their registration.

Mr. President, I think that we argue here sometimes at great length and get all worked up over some arguments which are just not based on any substantial facts. You and I know that in a court of law that sort of thing would not go. We certainly would not recognize that as good evidence.

Mr. President, until such time as Senator Dent can show that these so-called culprits, to which he refers, are Republican culprits, I do not think that we should jump to the conclusion that they are. I think that we

all need a great deal more information before we can get to any conclusion based on good substantial facts.

Mr. DENT. Mr. President, in order that there be proof put into the record, I am going to ask that these letters, which are photostatic copies of letters sent by the United States Department of the Army, signed by the officials who represent that particular department of government, be made a part of the record of the Senate.

"EDWARD MARTIN
"Pennsylvania
"Committees:
"Finance
"Public Works

"GEORGE I. BLOOM
"Administrative Assistant

"MRS. LUELLA M. BOESCHEN
"Secretary

"UNITED STATES SENATE

"Washington, D. C.
"June 11, 1953

"Pennsylvania Rubber Company
"Jeannette,
"Pennsylvania
"Attention: Mr. Matthewson

"Dear Mr. Matthewson:

"I am enclosing copy of a letter which Senator Martin received from the Department of the Army. This letter was sent to him because I demanded a statement chronologically setting forth the various steps that had taken place in the awarding of the gas mask contract to Firestone. This statement is not the same as the original story given to me by Mr. Young and Captain Hougen. When I first talked with them I was told that on May 26th a 'letter of intent' to award the contract to Firestone was sent that day. You will now note the change that was made.

"I still feel that exceptions should be taken to this award and the matter thoroughly investigated. However, this is a matter that must be decided by your company, keeping in mind all the factors involved.

"I wish you would give Senator Dent a copy of the letter from the Army. He has been very much interested and we have cooperated with him in the interest of the community and your company.

"With kindest regards, I am,

"Sincerely yours,
"George I. Bloom"

"DEPARTMENT OF THE ARMY

"Office of the Secretary of the Army

"Washington 25, D. C.
"June 8, 1953

"Honorable Edward Martin
"United States Senate

"Dear Senator Martin:

"Permit me to refer to your communications, addressed to the Secretary of Defense and Assistant Secretary of the Army, concerning the procurement of gas masks by the Department of the Army.

"In order that you may have full and complete information concerning this procurement, I should like to outline for you a chronology of events leading up to the award of this contract to the Firestone Company of Falls River, Massachusetts.

"On February 27, 1953, proposals were sent to both the Firestone Company of Falls River, Massachusetts, and the Pennsylvania Rubber Company of Jeannette, Pennsylvania.

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"On May 29, 1953, the Office of Defense Mobilization advised the Office, Secretary of Defense, verbally and confirmed in writing on the same date that Falls River, Massachusetts, had been recertified as a Group III Labor Surplus Area, effective May 28, 1953.

"The Department of the Army, after receiving correspondence relative to this contract and being unaware of the formal commitment made by the contracting officer, looked into the feasibility of reconsidering the award of the contract. In looking into this matter it was determined that a firm commitment had been made to the Firestone Company by the contracting officer on May 26, 1953, as indicated above. This commitment was made prior to the notification from the Office of Defense Mobilization that Falls River, Massachusetts, was recertified from Group IV Labor Surplus Area to Group III Labor Surplus Area.

"In view of the foregoing, it is the opinion of the Department of the Army that as of the date the firm commitment was made on May 26, 1953, by the contracting officer, Falls River, Massachusetts, was in Category IV Labor Surplus Area. Therefore, the Department has no recourse but to allow the award to the Firestone Company.

"I appreciate your very deep interest in this matter and regret that it is not possible to furnish you a more favorable reply. However, I trust that the chronology

of events leading up to the award of this contract will enable you to more readily understand the Department's position in this regard.

"Sincerely yours,
"T. A. YOUNG
"Special Assistant

"Inclosures"

Mr. DENT. Mr. President, I might say to the gentleman that the best proof that they are not Democrats is that they have not been fired. They would be willing and very happy to have some scapegoat on whom to blame this faux pas. The fact that they have not said too much about it, and are trying to hide it, is because they are Republicans recently placed in there. One of them is the Purchasing Agent of the Firestone Tire and Rubber Company, who has done a finer job working through the governmental offices as a Purchasing Agent for the Firestone Tire and Rubber Company than he could ever have performed on the outside, and the other is a man who headed G.M.'s War Production Department.

Mr. President, before this Session is over, if it is not over very shortly, I intend to bring up some of the beautiful records of that particular department in General Motors, and tell this Senate why I believe Wilson is in Washington. I believe he is there to protect the past contracts of General Motors, because they were so high that they smelled to the high heavens.

The PRESIDENT. The Chair wishes to advise the Minority Floor Leader that the resolution he referred to in his earlier remarks was transmitted last Friday.

SENATE CONCURRENT RESOLUTION

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE THE SUBJECT OF A STATE PUBLIC HEALTH PLUMBING LAW

Messrs. BARR and McCUSKER offered the following resolution which was twice read and referred to the Committee on Public Health and Welfare:

In the Senate, June 15, 1953.

Whereas, Because of the rapid development of suburban and rural areas throughout the State serious difficulties have been encountered because of the lack of provisions for adequate sanitary facilities; and

Whereas, Present public health plumbing measures now in effect throughout the State are effective with few exceptions only in the larger communities, and these few exceptions relate to some boroughs and townships which have a great variety and confusion of provisions more or less adequate for the needs of public health and safety in the communities involved; and

Whereas, To extend adequately throughout the entire Commonwealth proper provisions of the public health plumbing laws now in effect, there was prepared a Proposed State Public Health Plumbing Law, incorporated in the provisions of Senate Bill 533, which was introduced into the 1953 Session of the General Assembly and which was referred to the Senate Local Government Committee; and

Whereas, After consideration, the Senate Local Government Committee recommended that the proposal, because of its broad application and its relation to the public health and safety recommended that the entire subject be studied by the Joint State Government Commission with recommendation for consideration and adoption by the next regular Session of the General Assembly; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to study, investigate and inquire into the entire subject of a State public health plumbing law to be in effect in the Commonwealth of Pennsylvania. The Joint State Government Commission shall report its findings and recommendations to the next regular Session of the General Assembly, together with such drafts of legislation necessary to carry the recommendations into effect.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by designating the Department of Justice for the Department of Welfare.

BILL INTRODUCED AND REFERRED

Mr. CROWE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE read in place and presented to the Chair Senate Bill No. 691, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by appropriating all funds derived from registration fees, forfeitures of bonds, cash securities, and deposits in lieu of planting to the Department of Mines to be used by the Secretary of Mines as herein provided.

Which was committed to the Committee on Mines and Mining.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Augustus S. Hines, 1201 Belfield Avenue, Drexel Hill, Delaware County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elizabeth C. Armstrong, 3021 North 4th Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the Fourteenth Ward of the City of Harrisburg, Dauphin County, until the first Monday of January 1954, vice Joseph K. Armstrong, deceased.

JOHN S. FINE.

MEMBERS OF STATE FOREST COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Forest Commission, to serve until the 3d Tuesday of January 1955, and until their successors shall have been appointed and qualified:

Thomas H. Golden, 632 Edwards Avenue, Pottsville, Schuylkill County. (Reappointment)

Edward A. Nicodemus, R. D. No. 2, Waynesboro, Franklin County, (Reappointment)

Philip H. Glatfelter, Spring Grove, York County, vice Stuart E. Weller, Ligonier, whose term expired.

Joseph F. Stauss, Benton, Columbia County, vice Ned P. Clark, Coudersport, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Esther R. Gaughan, 219 South Locust Avenue, Centralia, Columbia County, for appointment as Justice of the Peace in and for the Borough of Centralia, Columbia County, until the first Monday of January 1956, vice Joseph O. Gaughan, deceased.

JOHN S. FINE.

MEMBER OF CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. F. N. Carlson (Republican), 300 Huron Avenue, Renovo, Clinton County, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Mrs. Ruby A. Brown, Renovo, whose term expired.

JOHN S. FINE.

MAJOR GENERAL OF PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Curtis, 2625 Allen Street, Allentown, Lehigh County, for appointment as Major General of the Pennsylvania National Guard, to serve until terminated.

JOHN S. FINE.

MEMBER OF UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis H. Harris (Republican), 418 Market Street, Lewisburg, Union County, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Robert V. Glover, Mifflinburg, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jacob C. Fleming, R. D. No. 1, Northumberland, Northumberland County, for appointment as Justice of the Peace in and for the Township of Point, Northumberland County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF STATE PLANNING BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore L. Hazlett, Jr., 906 Delafield Road, Pittsburgh, Allegheny County, for appointment as a member of the State Planning Board, to serve until November 17, 1953, and until his successor shall have been appointed and qualified, vice Wallace Richards, Pittsburgh, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. B. Bulick, 26 North Market Street, Selinsgrove, Snyder County, for appointment as Justice of the Peace in and for the Borough of Selinsgrove, Snyder County, until the first Monday of January 1954, vice C. B. Forgy, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, CONNELLSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sheldon C. Cunningham, 12 Chestnut Street, Scottdale, Westmoreland County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, for the term of four years, and until his successor is qualified, vice Frank Lane, Monessen, deceased.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Elmer W. Bowman, 537 Church Street, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Pennhurst State School, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oliver G. Langer, 1817 Eleventh Avenue, Altoona, Blair County, for appointment as Alderman in and for the Fifth Ward of the City of Altoona, Blair County, until the first Monday of January 1954, vice Martin J. Brennan, resigned.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James T. Taylor, 637 Belmont Street, Coatesville, Chester County, for appointment as Alderman in and for the Fourth Ward of the City of Coatesville, Chester County, until the first Monday of January 1956, vice Ernest J. Sollars, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, KUTZTOWN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Enoch Rothermel, New Berlinville, Berks County, for appointment as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified, vice Paul H. Price, Esq., Wyomissing, resigned.

JOHN S. FINE.

MEMBER OF PUBLIC SERVICE INSTITUTE BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Nelson Yearick, 140 West Third Street, Lewistown, Mifflin County, for appointment as a member of the Public Service Institute Board for the term of four years, and until his successor is appointed and qualified, vice John A. Moran, Johnstown, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Meehan, Dushore, Sullivan County, for appointment as Justice of the Peace in and for the Borough of Dushore, Sullivan County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Board of Optometrical Examiners, for terms of four years, and until their successors shall have been appointed and qualified:

Dr. Stanley A. Brown, 110 South 5th Street, Reading, Berks County.

Dr. A. M. Peters, 17 East Mahoning Street, Danville, Montour County.

Dr. Robert W. Shepard, 113 West 11th Street, Erie, Erie County.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of holding a meeting of the Finance Committee, to be followed by a meeting of the Committee on Corporations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. HARE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Finance, reported as committed House Bill No. 573, entitled:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

He also, from the Committee on Finance, reported as committed House Bill No. 574, entitled:

An Act to amend Section 201 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by further defining real estate to be valued and assessed for taxation.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I just want to serve notice that I am going to object to the first reading of House Bill No. 573 and House Bill No. 574.

REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Corporations, reported as amended Senate Bill No. 281, entitled:

An Act authorizing corporations to grant stock options, pensions, and allowances to officers and employes under certain circumstances; validating stock options, pensions, and allowances heretofore granted; and repealing inconsistent laws.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 347, as follows:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery or forgery.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 1402 Bond Insurance Salary The city treasurer shall give lawful fidelity bond to the Commonwealth with a surety company authorized by law to act as surety to be approved by the city council in such sum as it may by ordinance direct conditioned for the accounting for and paying over all moneys received by him in his capacity as city treasurer and the safe-keeping and payment over of all public moneys entrusted to his care and that as tax collector of city county institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The city treasurer shall

in addition furnish adequate insurance protection against any and all losses of said funds through fire burglary larceny theft robbery or forgery Such insurance shall be approved by the city council in such sum as it may by ordinance direct The city treasurer and his surety shall be discharged from further liability on any bond as tax collector as soon as all tax items continued in the duplicates delivered to him are either (1) collected and paid over or (2) certified to the city council for entry as liens in the office of the prothonotary or as claims in the tax claim bureau as the case may be or (3) returned to the county treasurer or city treasurer for sale or (4) in the case of taxes not levied upon real estate a record of those which remain uncollected is filed with the tax authority The city treasurer shall be required to give in addition to insurance as aforesaid but one bond which shall include his duties as city treasurer and collector of city county institution district and school taxes and shall cover the full term of his office Should any of the taxing districts be of the opinion at any time that the bond and insurance as aforesaid [given] provided by the city treasurer is not sufficient in amount [or] as to the surety and insurance thereon the said taxing district may petition the court of quarter sessions having jurisdiction in the city to have the city treasurer furnish additional bond and insurance as aforesaid Thereupon the city treasurer shall furnish such additional bond and insurance if any as the said court may prescribe The premium of [such] the bond or bonds and insurance shall be paid by the city or shared pro rata by the taxing districts interested as the case may be according to their respective tax interests The treasurer shall not in any event be required to [give] provide bond or bonds and insurance [aggregating] in an amount in excess of the taxes to be collected by him The bond or bonds and insurance [given] provided by the city treasurer shall or be for the use of the city and the taxing districts involved He shall as city treasurer receive a fixed annual salary to be provided by ordinance His compensation as tax collector for the city county institution district and school district shall be as provided for in the Local Tax Collection Law

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO HOUSE BILL No. 347, RECALLED FROM THE GOVERNOR

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 347, recalled from the Governor for the purpose of amendment.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1007, as follows:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or to any court of the United States and eliminating ineffective provisions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" is hereby amended to read as follows

Section 2 That when the record in any criminal case shall have been removed by writ of certiorari or otherwise to [the Supreme Court] any appellate court of this Commonwealth or to any court of the United States for review and shall have been therein disposed of the necessary expenses of the district attorney in connection therewith including a reasonable compensation for his services to be fixed by the court in addition to the regular fee now allowed him by law for trying the case in the lower court shall be paid by the proper county and the costs of the officers including the costs of the justice of the peace and constable and all cases of wife desertion and surety of the peace shall be chargeable to and paid by the proper county as soon as the case is disposed of by the order of the court and it shall be the duty of the district attorney and county commissioners to use all due diligence to collect the costs in every case mentioned in this act from the party made liable therefor by the sentence or order of the court and to pay the same into the county treasury

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO HOUSE BILL No. 1007, RECALLED FROM THE GOVERNOR

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1007, recalled from the Governor for the purpose of amendments.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 193, on third reading, entitled:

An Act to amend section 263 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing electors in certain cases to present petitions to the court for the submission to the electors of a question of merger of school districts

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 194, on third reading, entitled:

An Act to amend Section 251 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing electors to present petitions for submission to the electorate of a question of the formation of a union school district

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 343, on third reading, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases

be recommitted to the Committee on Judiciary General.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 402, on third reading, entitled:

An Act relating to agreements leases and other instruments granting anthracite rights made or joined in by political subdivisions providing for approval by the Secretary of Mines under certain conditions and rendering them otherwise void providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions or of a taxpayer of such

be recommitted to the Committee on Mines and Mining.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 481, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause 4 of subsection (c) of Section 202 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the acts approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 131) and the sixth day of May one thousand nine hunded forty-three (P. L. 181) is hereby reenacted and amended to read as follows

Section 202 Purposes for Which Companies May Be Incorporated Underwriting Powers

* * * * *

(c) Stock casualty insurance companies may be incorporated for any or all of the following purposes

* * * * *

(4) To insure any one against loss or damage resulting from accident to or injury fatal or non-fatal suffered by an employe or other person for which the person insured is liable to insure against medical hospital surgical and funeral expenses incurred by or on behalf of persons accidentally injured including the person insured and in the case of automobile liability insurance including also an obligation of the insurer to pay disability benefits to injured persons and death benefits to dependents beneficiaries or personal representatives of persons who are killed irrespective of the legal liability of the insured when such insurance is issued with and supplemental to such liability insurance to insure against loss or damage to property caused by horses or by any vehicle drawn by animal power for which loss or damage the person insured is liable and to insure against loss or damage to property for which loss or damage the person insured is liable but not including any kind of property damage insurance specified in other paragraphs of this section

Section 2 Subsection (e) of Section 629 of the act as added by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 131) is hereby amended to read as follows

Section 629 Limitations

* * * * *

(e) Nothing in subdivision (b) of this article shall apply to nor in any way affect any insurance of medical hospital surgical and funeral expenses and disability and death benefits issued with and supplemental to a liability insurance policy as mentioned in paragraph four of subsection (e) of section two hundred two of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Chapman,	Kephart,	McMenamin,	Wagner,
Crowe,	Kessler,	McPherson, Jr.	Walker,
Dent,	Kopriver, Jr.	Miller,	Watkins,
Diehm,	Lane,	Propert,	Watson,
Fleming,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Harney,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 554, Printer's No. 293, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 586, as follows:

An Act to amend the title and Section 1 of the act approved the seventeenth day of April one thousand nine hundred forty-seven (P. L. 63 No. 29) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" by extending the provisions of the act to cities of the second class of this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Section 1 of the act approved the seventeenth day of April one thousand nine hundred forty-seven (P. L. 63 No. 29) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" are hereby amended to read as follows

An Act authorizing and empowering cities of the first and second class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases

Section 1 That the cities of the first and second class of this Commonwealth shall have the power and they are hereby authorized to acquire procure or obtain by purchase lease or condemnation any land within said cities with the buildings or structures erected thereon if any and to construct buildings and facilities thereon for the purpose of using such land as and for parking lots or public garages whenever in the judgment of the city council acquisition of such lands may be necessary desirable or useful for the relief or abatement of congestion in its streets or highways The title acquired by the city exercising the power of condemnation shall be a title in fee sample

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 590, Printer's No. 315, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 590, as follows:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four million forty thousand dollars ($4,040,000) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred fifty-three The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund

to the Sinking Fund on or before the date and in the manner set forth in the following schedule

Date of Payment	Principal	Interest	Total
September 1, 1953	$1,940,000.00	$40,000.00	$1,980,000.00
October 1, 1953 ..	.....	40,000.00	40,000.00
April 1, 1954	.....	40,000.00	40,000.00
October 1, 1954 ..	1,940,000.00	40,000.00	1,980,000.00
Totals	$3,880,000.00	$160,000.00	$4,040,000.00

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Crowe,	Kessler,	McPherson, Jr.	Watkins,
Chapman,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 591, Printer's No. 310, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 636, as follows:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 349) entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws" by further prescribing what taxes or license fees may be refunded or sued for

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 and 2 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 349) entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws" are hereby amended to read as follows

Section 1 Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of any political subdivision directly or indirectly any tax or taxes on real or personal property or any license fee or fees under an assumption that such taxes or license fees were due and owing when in fact such taxes or license fees or a part thereof were not due and owing to the political subdivision then in such cases the authorities of the political subdivision upon due proof of any such erroneous or inadvertent tax or license fee payments are hereby directed to draw their warrant on the treasurer of such political subdivision in favor of such person or corporation to make refund out of the public funds of such tax or taxes or license fee or fees to which the political subdivision has no valid claim Provided however That no such refund shall be made sooner than the first day of September one thousand nine hundred forty-four and in no case shall any refund be made of taxes or license fees paid to the political subdivision more than three years prior to the discovery of such erroneous or inadvertent payment

The provision of this act shall be construed to include taxes paid upon real estate assessments which erroneously contained buildings which had been previously destroyed or torn down but whose destruction was not noted by the assessors and was included in the assessment

Section 2 In the event of refusal or failure on the part of authorities of the political subdivision involved to make any such refund of taxes or fees so erroneously paid into the treasury thereof then the aggrieved person or corporation shall have the right to recover the sum involved subject to the limitation herein provided by instituting an action in assumpsit in any court of competent jurisdiction within the count wherein such political subdivision is located

Section 2 Section 3 of the act is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	McCreesh,	Stiefel,
Barr,	Hare,	McCusker,	Taylor,
Berger,	Harney,	McGinnis,	Toole,
Blass,	Holland,	McMenamin,	Wade,
Camiel,	Kephart,	McPherson, Jr.	Wagner,
Crowe,	Kessler,	Miller,	Walker,
Chapman,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Silvert,	Weiner,
DiSilvestro,	Madigan,	Snowden,	Wolfe,
Fleming,	Mahany,	Stevenson,	Yosko,
Freed,	Mallery,		

NAYS—2

Letzler,	Wood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 637, as follows:

An Act to repeal Section 518 of and to add a new section 518.1 to the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons

property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by elimiating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 518 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" as amended by the acts approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 674) and the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1007) is hereby repealed absolutely

Section 2 The act is hereby further amended by adding thereto immediately after Section 517 a new section to read as follows

Section 518.1 Appeal to Court from Assessments Collection Pending Appeal Refunds Any owner of real estate or taxable property in this Commonwealth who may feel aggrieved by the last or any future assessment or valuation of his real estate or taxable property may appeal from the decision of the county commissioners acting as a board of revision or the board of revision of taxes or the board for the assessment and revision of taxes or the board of Property Assessment Appeals and Review in counties of the second class as the case may be to the court of common pleas of the county within which such property is situated or the County Court of Allegheny County as the case may be and for that purpose may present to said court or file in the prothonotary's office or in the office of the clerk of the County Court of Allegheny County within sixty days after the county commissioners acting as a board of revision or the board of revision of taxes or the board for the assessment and revision of taxes or the Board of Property Assessment Appeals and Review in counties of the second class as the case may be have held the appeals provided for by this or any other act of Assembly and acted on the said assessments and valuations a petition signed by him his agent or attorney setting forth the facts of the case and thereupon the court shall proceed at the earliest convenient time to be by them appointed of which notice shall be given to the county commissioners acting as a board of revision or the board of revision of taxes or the board for the assessment and revision of taxes or the Board of Property Assessment Appeals and Review in counties of the second class as the case may be to hear the said appeal and the proofs in the case and to make such orders and decrees touching the matter complained of as to the judges of said court may seem just and equitable the costs of the appeal and hearing to be apportioned or paid as the court may direct Provided however That the appeal shall not prevent the collection of the taxes complained of but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid the same Upon final disposition of the appeal the amount found to be due the appellant as a refund may at the election of the taxing district be set off or credited against any future taxes assessed against appellant in the same taxing district Provided That where such taxing district is unable to thus credit all of such refund or any balance thereof in any one year the court may upon application of either party ascertain and determine how much of said refund shall be credited in that year The aforesaid proviso shall be construed to apply to all refunds that are now due or may hereafter became due as the result of appeals from assessments that have not been finally determined or adjusted at the time this act takes effect

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall apply to all appeals now pending in the court of common pleas or in the County Court of Allegheny County as the case may be and to all appeals hereafter instituted

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 639, as follows:

An Act requiring insurance companies with the exception of life insurance companies to accept insurance premiums any time after the policy is in force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All insurance companies with the exception of life insurance companies authorized to transact business within this Commonwealth shall accept from agents and brokers premiums on insurance policies any time after the policy is in force

Section 2 The Insurance Commissioner shall have the authority to make regulations not inconsistent with this act for the efficient administration and enforcement of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Crowe,	Kessler,	McPherson, Jr.	Walker,

Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 652, as follows:

An Act to further amend Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 1104 Appointments Incompatible Offices Unless there is incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board commission bureau or other agency created by or for the borough or any borough office created or authorized by statute and may accept appointments thereunder but no burgess or councilman shall receive compensation therefor Where there is no incompatibility in fact and subject to the foregoing provisions as to compensation appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities may hold two or more appointive borough offices but no burgess or member of council may serve as borough manager or as secretary or treasurer [and the] The offices of secretary and treasurer shall not be held by the same person except in boroughs having less than two thousand five hundred inhabitants when so authorized by ordinance Nothing herein contained shall affect the eligibilty of any borough official to hold any other public office or receive compensation therefor In all cases in which it is provided that an appointment is to be made by the burgess and council such appointment shall hereafter be made by the burgess with the approval of a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute All appointments to be made by the council or the corporate authorities shall be made by a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Crowe,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 951, Printer's No. 403, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1003, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing on the Secretary of Health and providing for payments of expenses by townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thouasnd nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding after Article XIX thereof a new article to read as follows

Article XIX-A

Board of Health

Section 1901-A Establishment of Board of Health Officers The administration of the health laws in townships may be enforced by a board of health or by a health officer or officers as the case may be appointed by the township supervisors

Where the township supervisors elect to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is prescribed for boards of health in townships All health officers whether appointed by boards of health or by the township supervisors shall have had some experience or training in public health work in accordince with rules and regulations established by the Advisory Health Board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by the State Department of Health

Section 1902-A Members of Board of Health Where the township supervisors decide to appoint a board of

health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board shall be appointed by the township supervisors At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve five years The members of the board of health shall serve without compensation but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that offce

Section 1903-A Oaths of Members Secretary and Health Officer The members of the board shall severally take and subscribe to the oath prescribed by section five hundred one of this act and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the township supervisors and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 1904-A Duties of Secretary The secretary of the board shall keep the minutes of the proceedings of the board shall keep accurate accounts of the expenditures of the board shall draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the supervisors to the board and shall present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the township supervisors together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of month the cases of communicable disease reported to the board of health one the form provided for that purpose by such department and shall also make an annual report to such department and shall make such other reports and perform such other duties as board may require

Section 1905-A Powers and Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duites have the power and authority of a policeman

Section 1906-A Powers of Board of Health The board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which the board shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house-drains wash-pipes soil-pipes and cesspools and to make all such other rules and regulations as shall be deemed necessary for the preservation of the public health The board shall also have power with the consent of the township supervisors in case of a prevalence of any contagious or infectious disease to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which they are invested by law and the power and authority relating to the public health conferred on the townships Such rules and regulations when approved by the township supervisors and when advertised in the same manner as ordinances shall have the force of ordinances of the township and all penalties or punishment prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the township in the same manner as penalties for violation of the ordinances of the township and subject to like limitations as to the amount thereof

Section 1907-A Entry Upon Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same

Section 1908-A Inspections Abatement of Nuisances The board of health may inspect house-drains waste and soil-pipes cesspools water-closets slaughter-houses hogpens stable stable-yards and any conditions or places whatsoever in the township which may constitute a nuisance or a menace to public health and whenever any condition or place in the township is found by the board to be a nuisance or a menace to the health of the people of the township it shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein the board shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be provided by ordinance of the township

Section 1909-A Estimates of Expenditures Report It shall be the duty of the board of health or appointed estimate of the probable expenditures of the board during the ensuing year and the supervisors shall then prohealth officer or officers to submit annually to the supervisors before the commencement of the fiscal year an ceed to make such appropriations as may be deemed necessary The board of health health officers or officers shall in the month of January of each year submit a report in writing to the supervisors of its appropriation and expenditures for the preceding year together with such other information as subjects relative to the sanitary condition or requirements of the township as may

be necessary and the supervisors shall publish the same in their official journal

Section 1910-A Cooperation With Other Units Any township may cooperate with the county or with any city borough or township as well as with the State Department of Health in the administration and enforcement of health laws

Section 1911-A Powers of Secretary of Health Whenever in the opinion of the Secretary of Health conditions found by him to exist in any township shall constitute a menace to the lives and health of people living outside the corporate limits of such township or if it be known to him that any township is without an existing or efficient board of health he or his agents may enter and take full charge of and administer the health laws regulations and ordinances in such township and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such township and is ready able and willing to assume and carry into effect the duties imposed upon it by law

Section 1912-A Expenses of Board or Secretary of Health All expenses incurred by any local board of health Secretary of Health or his agents in the administration of health laws in any township in accordance with the its officers or employes in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health or his agents in accordance with the provisions of this article shall be paid by the township wherein such duties are performed in the same manner as other expenses of such township are paid

Section 1913-A Failure to Pay Expenses Incurred by State Secretary Whenever expenses incurred by the provisions of this article shall remain unpaid by said township for a period over three months after a statement of such expense has been rendered by him to such township and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such township for the collection of such expense from the township in the same manner as debts of like amount are collected by law Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination

Section 1914-A Disposition of Collected Funds All expenses incurred by the Secretary of Health in the administration of health laws in any township when paid to him by such township or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Crowe,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	

NAYS—1

Wood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1101, as follows:

An Act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local regisrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I General Provisions

Section 101 General Provisions Short Title The short title of this act is the "Vital Statistics Law of 1953"

Section 102 General Provisions Effective Date The provisions of this act shall become effective immediately upon final enactment

Section 103 General Provisions Saving Clause The provisions of this act so far as they are the same as those of acts repealed by this act are intended as a continuation of such acts and not as new enactments The provisions of this act shall not affect anything done under the authority of such repealed acts prior to the effective date of this act All regulations and rules made pursuant to any act repealed by this act shall continue in force until changed by the proper authority named in this act All certificates and permits actually issued under such repealed acts shall continue in force and effect

Section 104 General Provisions Severability If any provision of this act or the application of any provision to particular circumstances is held invalid the remainder of the act or the application of such provision to other circumstances shall not be affected

Section 105 General Provisions Definitions As used in this act

(1) "Department" means the State Department of Health

(2) "Vital statistics" includes the registration preparation transcription collection compilation analysis and preservation of data pertaining to births adoptions legitimations deaths fetal deaths marital status and data incidental thereto

(3) "Live birth" means the expulsion or extraction from its mother of a product of conception irrespective of the period of gestation which shows any evidence of life at any moment after such expulsion or extraction

(4) "Fetal death" means the expulsion or extraction from its mother of a product of conception after sixteen (16) weeks gestation which shows no evidence of life after such expulsion or extraction

(5) "Dead body" means (i) a lifeless human body or (ii) such parts of a human body as permit a reasonable inference that death has occurred

(6) "Fetal remains" means the fetus expelled or extracted in the case of a fetal death as defined by this section

(7) "Person in charge of interment" means any person who places or causes to be placed a dead body or fetal remains in a grave vault or other receptacle or otherwise disposes thereof

(8) "Physician" means (i) a person licensed under the laws of this Commonwealth to engage as a doctor of medicine in the practice of all the branches of medicine or (ii) a person licensed under the laws of this Commonwealth to engage in the practice of osteopathy or osteopathic surgery

Article II State Department of Health

Section 201 Department General Powers and Duties The department shall pursuant to the provisions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) as amended cited as "The Administrative Code of 1929"

(1) Administer and enforce the provisions of this act and the regulations made pursuant thereto

(2) Install and maintain a statewide system of vital statistics

(3) Be the custodian of all vital statistics files and records collected created or compiled under the provisions of this act

(4) Have supervisory power over all local registrars appointed under the provisions of this act

Section 202 Department Bureau of Vital Statistics The Secretary of Health may create staff and equip a bureau of vital statistics and such other administrative organizations within the department as shall be suitable for the execution of the powers and duties conferred upon the department by this act

Section 203 Department State Registrar of Vital Statistics The Secretary of Health may designate the head or chief of a bureau of vital statistics as the State Registrar of Vital Statistics

Section 204 Department Forms The department shall prescribe the forms for all certificates required by this act The department may prescribe all other forms necessary for collecting transcribing compiling and preserving vital statistics The department shall include in such forms all standard items which contribute to a uniform comparable nationwide system of vital statistics

Section 205 Department Regulations The Advisory Health Board shall make and may amend or repeal regulations for the administration of the provisions of this act The Advisory Health Board may make amend or repeal regulations for the administration of a uniform efficient statewide system of vital statistics which will protect the public health and preserve the completeness and integrity of vital statistics records

Article III Registration District Administration

Section 301 Registration Districts Creation by Department The department shall divide the Commonwealth from time to time into registration districts which shall conform to political subdivisions or combinations thereof

Section 302 Registration Districts Local Registrars Appointment and Removal of The Secretary of Health shall appoint a local registrar for each registration district Each local registrar shall appoint a deputy to act in the event of his absence or disability If the department determines that the proper and efficient administration of a registration district requires additional personnel the department may appoint one or more assistants No local registrar deputy or assistant shall be appointed who does not meet the qualifications prescribed by the Advisory Health Board The department may at any time remove any local registrar deputy or assistant for cause The department may abolish the office of any local registrar in the event that the registration district is combined with another The department may reduce the number of assistants at any time

Section 303 Registration Districts Local Registrars' Duties Local registrars shall perform the duties imposed upon them by this act under and subject to the supervision of the department Local registrars shall transmit certificates and transcripts to such places and at such times as shall be prescribed by the department

Section 304 Registration Districts Local Registrars' Compensation Each local registrar shall be paid a fee of fifty cents ($.50) for each certificate transmitted in accordance with the provisions of this act or for each report of no certificates filed during any calendar month The Advisory Health Board by regulation may establish and from time to time revise maximum limits upon the aggregate amount

of fees to be paid any local registrars during a given period The fees prescribed by this section shall be paid by the Commonwealth from funds appropriated to the department

Section 305 Registration Districts Institutional Records Required All superintendents managers and other persons in charge of hospitals maternity homes homes for the aged and public and private institutions to which persons resort for medical care or to which persons are committed by process of law shall obtain and record as to each inmate at the time of his admittance all personal information required in the certificate prescribed by the department Each inmate shall supply such information at the time of admittance but if the inmate is unable personally to supply the information a relative of the inmate or other person acquainted with the facts shall do so

Article IV Birth Registration

Section 401 Birth Registration General Provisions A certificate of each birth occurring in this Commonwealth shall be filed with the local registrar of the district in which the birth occurs within a period prescribed by regulations of the Advisory Health Board The certificate shall be prepared signed and filed by the attending physician or licensed midwife except that when there is no attending physician or licensed midwife the certificate shall be prepared signed and filed (1) by the father or (2) in the event of his death disability or absence by the mother or (3) in the event of her death or disability by the householder of the premises or superintendent of the institution in which the birth occurs or (4) in the event of the absence or disability of all persons heretofore named then by such person acquainted with the facts as the local registrar shall designate

Section 402 Birth Registration **Foundling Registration** The birth of each child of unknown parentage discovered within this Commonwealth shall be registered on a form prescribed by the department and within such period of time following the discovery of the child as the regulations of the Advisory Health Board shall prescribe The person in charge of the agency or institution or such other person into whose care the child is first delivered shall file the registration form with the local registrar of the district in which the child is discovered Such registration shall be acceptable for all purposes in lieu of a certificate of birth

Article V Death and Fetal Death Registration

Section 501 Death and Fetal Death Registration Certificates to be Filed A certificate of each death or fetal death which occurs in this Commonwealth shall be filed within seventy-two (72) hours after the death or fetal death or within seventy-two (72) hours after the finding of a dead body or fetal remains In every instance the certificate shall be filed prior to the issuance of a permit for interment or other disposition of the dead body or fetal remains The person in charge of interment or of removal of the dead body or fetal remains from the registration district shall file the certificate with the local registrar of the district in which the death or fetal death occurred or if the place of death or fetal death is unknown with the local registrar of the district in which the dead body or fetal remains were found or with such other local registrar as the Advisory Health Board may by regulation designate

Section 502 Death and Fetal Death Registration Information for Certificates In preparing a certificate of death or fetal death the person in charge of interment or of removal of a dead body or fetal remains from the registration district shall obtain the required information The following persons shall supply the information certified by their respective signatures

(1) Personal information concerning the deceased or the fetal death shall be supplied by the person best acquainted with the facts

(2) The medical certification except in the event of a referral to the coroner pursuant to section five hundred three of this act shall be supplied (i) in the case of a death by the physician who attended the deceased during the last illness and (ii) in the case of a fetal death by the attending physician

Section 503 Death and Fetal Death Registration Coroner Referrals The local registrar or person in charge of interment or other person having knowledge of the death or fetal death shall refer to the coroner the following cases (1) where no physician was in attendance during the last illness of the deceased or in the case of a fetal death where there was no attending physician or (2) where the physician in attendance during the last illness of the deceased or the attending physician in the case of a fetal death is physically unable to supply the necessary data or (3) where the circumstances suggest that the death was sudden or violent or suspicious in nature or was the result of other than natural causes In every instance of a referral under this section the coroner shall make an immediate investigation and shall supply the necessary data including the medical certification of the death or fetal death

Section 504 Death and Fetal Death Registration Permits Concerning Dead Bodies and Fetal Remains No person shall dispose of a dead body or fetal remains or remove the same from the registration district until the local registrar issues a permit therefor The local registrar shall issue the permit only after the person in charge of interment or removal has filed with the local registrar a certificate of death or fetal death and has complied with all regulations with respect to the issuance of the permit

The sexton or other person in charge of any premises in which bodies are interred or cremated shall not allow the interment or cremation of any dead body or fetal remains unless a permit issued under this section is presented to him The sexton or other person in charge of such premises shall indorse upon each permit presented to him the date of interment or cremation over his signature and shall return the permit so indorsed to the local registrar of his district within ten days from the date of interment or cremation

Section 505 Death and Fetal Death Registration Out-of-State permits When a death or fetal death occurs outside of this Commonwealth and the dead body or fetal remains are accompanied by a permit for burial removal or other disposition issued in accordance with the law and regulations in force where the death or fetal death occurred the permit shall authorize transportation into or through this Commonwealth and burial or other disposition of the dead body or fetal remains within this Commonwealth without the indorsement of a local registrar of this Commonwealth

Section 506 Death and Fetal Death Registration Regulations Concerning Dead Bodies and Fetal Remains The Advisory Health Board shall make and may amend or repeal regulations governing disposal transportation interment and disinterment of dead bodies and fetal remains in order to protect the public health and promote the integrity and efficacy of death and fetal death registration

Article VI Change of Civil Status

Section 601 Change of Civil Status Marriage Registration The clerk of orphans' court of every county shall execute transcripts of the marriage license applications for marriages solemnized within this Commonwealth **The** department shall prescribe the forms of such transcripts and the forms of marriage license applications On or before the fifteenth day of each calendar month each clerk of orphans' court shall transmit to the department the transcripts of all marriage license applications pertaining to the executed marriage license certificates filed with him during the preceding calendar month The applicants for each marriage license shall in addition to the fee for the license pay to the clerk of orphans' court a fee of fifty cents ($.50) for the execution and transmission of the transmission of the transcript required by this section

Section 602 Change of Civil Status Court Reports A certificate of each divorce annulment of marriage adoption and annulment of adoption decreed or ordered in this Commonwealth shall be transmitted to the department The prothonotary or the clerk of the orphans' court shall execute each such certificate on a form prescribed by the

department On or before the fifteenth day of each calendar month the prothonotary or clerk shall transmit to the department the ceritficates pertaining to divorces annulments of marriage adoptions or annulments of adoption decreed or ordered during the preceding calendar month For each such certificate the prothonotary or clerk shall assess a fee of fifty cents ($.50) as part of the costs of the proceedings had in connection therewith and shall receive and apply such fee in the same manner and for the same uses as other costs received by him

Section 603 Change of Civil Status Amendment of Birth Certificates (a) Any person born in this Commonwealth (1) whose birth is registered as illegitimate but who is legitimated by the subsequent marriage of his natural parents or (2) whose parentage is determined by a court of competent jurisdiction or (3) who is adopted under the laws of this Commonwealth or of any other state or territory of the United States of America or (4) whose name is changed by order or decree of a court of competent jurisdiction may request the department to prepare an amended certificate of birth on the basis of proof of the new status

(b) The person involved if he has attained majority and is not incompetent or his parent guardian or legal representative shall file an application making such request and shall submit such proof as the Advisory Health Board may by its regulations require

(c) After the amended certificate is prepared any information disclosed from the record shall be from the amended certificate and access to the original certificate of birth and to the documents of proof on which the amended certificate is based shall be authorized only upon request of the person involved if he has atained majority and is not incompetent or upon request of his parent guardian or legal representative or upon order of a court of competent jurisdiction

Article VII Subsequent Registrations

Section 701 Subsequent Registrations Supplemental Reports on Original Records The Advisory Health Board shall adopt regulations for the purpose of obtaining information omitted from original certificates filed with the department Supplemental reports filed within the time prescribed therefor shall be considered a part of the original record and certificates or records so completed shall not be considered as "delayed" "amended" or "corrected"

Section 702 Subsequent Registrations Delayed Registrations The acceptance of any vital statistics record after the time prescribed for its filing shall be subject to such regulations as the Advisory Health Board may deem necessary and proper to preserve the integrity of vital statistics records

Section 703 Subsequent Registrations Correction of Records The acceptance of an application to correct an alleged error in any certificate or record filed with a local registrar or with the department under this act shall be subject to such regulations as the Advisory Health Board may deem necessary and proper to preserve the integrity of vital statistics records

Article VIII Records

Section 801 Records Disclosure in General The vital statistics records of the department and of local registrars shall not be open to public inspection except as authorized by the provisions of this act and the regulations of the Advisory Health Board Neither the department nor local registrars shall issue copies of or disclose any vital statistics record or part thereof created under the provisions of this or prior acts except in compliance with the provisions of this act and the regulations of the Advisory Health Board

Section 802 Records Copies of Marriage Registration and Court Report Records The department shall not issue any copies certified or otherwise of records heretofore or hereafter transmitted to the department which consist of (1) marriage license certificates or transcripts of marriage license records (2) certificates of court orders or decrees of adoption or annulment of adoption or (3) certificates of divorce or annulment of marriage Persons requiring copies of such records shall apply to the court or county office which issued the order decree or marriage license upon which any such record is based

Section 803 Records Disclosure of Illegitimacy of Birth The department shall issue certified copies of or disclose a record from which illegitimacy of birth can be ascertained only upon (1) an order of a court of competent jurisdiction specifying the record sought and holding that such record is necessary for the determination of personal or property rights or (2) a finding by an officer of the department designated by the Secretary of Health that the applicant therefor has attained majority and is not incompetent and is the person to whom the record relates or the mother or legal representative of the person to whom the record relates and further that the information contained in the record is necessary for the determination of personal or property rights

Section 804 Records Disclosure of Other Records Except for records described in sections eight hundred two and eight hundred three of this act the department shall issue certified copies of or disclose a vital statistics record or part thereof if an officer of the department designated by the Secretary of Health finds that the applicant therefor has a direct interest in the content of the record and that the information contained therein is necessary for the determination of personal or property rights

Section 805 Records Disclosure for Research Purposes The department may permit the use of vital statistics records or parts thereof for research subject to strict supervision by the department to insure that the use of the records is limited to research purposes

Section 806 Records Disclosure to Governmental Agencies The department may disclose information or data from vital statistics records to federal state or municipal agencies of government which request such information or data in the interest of conduct of official duty

Section 807 Records Fees for Copies (a) The Advisory Health Board shall prescribe the fees to be paid by applicants for copies of vital statistics records or parts thereof

(b) Federal state and municipal agencies of government may obtain copies of records or certifications of data from records without payment of fees provided that the department and the Commonwealth incur no expense in connection therewith

(c) No fee shall be charged for certified copies of records or parts thereof furnished members of the armed forces of the United States and their dependents during their term of active service and after their death in service or honorable discharge therefrom

Section 808 Records Accounting for Fees The department shall keep an account of all fees received by it pursuant to the provisions of this act and shall deliver the same to the State Treasurer through the Department of Revenue Fees received by local registrars for the issuance of certified copies of original certificates of death pursuant to section eight hundred nine of this act shall not be subject to accounting by the department

Section 809 Records Disclosure by Local Registrars (a) The Advisory Health Board shall be regulations not in conflict with the provisions of this act prescribe the manner and extent to which local registrars shall disclose vital statistics records

(b) Subject to the approval of the Advisory Health Board the department may authorize any local registrar to issue certified copies of original certificates of death or parts thereof which are in his possession but in every instance local registrars shall transmit the original certificates of death to the department in accordance with the rules and orders of the department Any local registrar who issues a certified copy of an original certificate of death in accordance with the provisions of this section shall receive therefor a fee prescribed by the Advisory Health Board not exceeding the fee charged by the department for a like service to be paid by the person applying for the certified copy

Section 810 Records Evidentiary Sufficiency Any record

or duly certified copy of a record or part thereof which is (1) filed wtih the department in accordance with the provisions of this act and the regulations of the Advisory Health Board and which (2) is not a "delayed" record filed under section seven hundred two of this act or a record "corrected" under section seven hundred three of this act shall constitute prima facie evidence of its contents except that in any proceeding in which paternity is controverted and which affects the interests of an alleged father or his successors in interest no record or part thereof shall constitute prima facie evidence of paternity unless the alleged father is the husband of the mother of the child

Article IX Penalties

Section 901 Penalties General Provisions Except where a different penalty is provided by this act any person any of the duties imposed upon him by this act or regutions made thereunder or neglects or refuses to perform any of the duties imposed upon him by this act or regulations made thereunder shall for every such offense upon conviction thereof in a summary proceeding before any magistrate alderman or justice of the peace in the county wherein the offense was committed be sentenced to pay a fine of not less than fifty dollars ($50) and not more than three hundred dollars ($300) together with costs and in default of payment of the fine and costs to be imprisoned in the county jail for a period not to exceed thirty (30) days

Section 902 Penalties Misdemeanors Any person (1) who wilfully and knowingly furnishes false information for inclusion in any certificate or record provided for by this act or (2) who wilfully makes or alters any certificate or record provided for by this act or (2) who wilfully makes or alters any certificate or record provided for by this act in violation of the provisions of this act or regulations made thereunder or (3) who wilfully discloses or aids assists abets or induces any other person to disclose any information contained in vital statistics records in violation of the provisions of this act or regulations made thereunder shall be guilty of a misdemeanor and upon conviction for any of the offenses specified in this section shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or undergo an imprisonment of not more than six (6) months or both at the discretion of the court

Article X Repeals

Section 1001 Repeals Specific Repeals The following acts and parts of acts and all amendments of each are hereby

(1) Section ten of the act approved the twenty-seventh day of April one thousand nine hundred five (P. L. 312) entitled "An act creating a Department of Health and defining its powers and duties"

(2) The act approved the first day of May one thousand nine hundred five (P. L. 330) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protectionof life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties"

(3) The act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of the act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act"

(4) The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 383) entitled "An act concerning the permanent recordation of certain births birth certificates the issuance of copies of such certificates and prescribing the procedure therefor enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court and imposing duties and powers on such Orphans' Court"

(5) The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 497) entitled "An act requiring prothonotaries and clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption preceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties"

(6) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto"

(7) The act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 361) entitled "An act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed"

Section 1002 Repeals General Repealer All other acts and parts of acts inconsistent herewith are hereby repealed

Section 1003 Repeals Acts Expressly Saved from Repeal This act shall not repeal or modify any of the provisions of the following acts

(1) The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 405) entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters"

(2) The act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 114) entitled "An act fixing the fee to be charged by the local authorities in cities of the first class for furnishing certified copies of the record of any birth death or marriage which had been registered in the office of such local authorities prior to the taking effect of the act approved June seventh one thousand nine hundred fifteen (P. L. 900) and for searches of the files and records when no certified copy is made"

(3) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties"

(4) The act approved the sixth day of April one thousand nine hundred forty-five (P. L. 165) entitled "An act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans

and their dependents in death and compensation cases free of charge"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1282, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 602 801 1101 1202 1302 and Clause IV of Section 1502 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 602 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties such bond shall be with a surety company or other company authorized by law to act as surety and the township may pay the premium on such bond

Section 801 Fidelity Bond The treasurer of each township shall give a fidelity and not a surety bond to the Commonwealth in a sum to be prescribed by ordinance or resolution and at least equal to fifty per centum of the probable amount of the annual township tax Such bond shall be subscribed [by sureties approved by the township commissioners or] by a surety company or companies duly authorized to do business in this Commonwealth The bond given by the treasurer shall be conditioned on a just accounting for and paying over all moneys belonging to the township funds that may come into his hands as treasurer from taxation or otherwise for the payment over thereof only in the manner prescribed by law for the delivery to his successor in office of all papers books documents and other things held in right of his office for the payment to such successor of any balance in money remaining in his hands or chage against him in the settlement of his accounts and that as tax collector of township county poor institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The township treasurer and his sureties shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over to the proper taxing district or (2) set forth in schedules filed with or certified to the proper tax authorities or (3) returned to the county commissioners for sale of the real estate by the county treasurer or returned in accordance with the Real Estate Tax Sale Law approved July 7 1947 P. L. 1368 or (4) in the case of occupation poll and per capita taxes accounted for by payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation that as tax collector he has complied with section 20 of the Local Tax Collection Law approved May 25th 1945 (P. L. 1050) The township treasurer shall be required to give but one bond which shall include his duties as township treasurer and collector of township county school institution district and poor taxes and shall cover the full term of his office Should the township county school district institution district or poor district be of the opinion at any time that the bond given is not sufficient additional security may be required to be given at the expense of the taxing district requiring the same the treasurer shall not in any event be required to give bond or bonds aggregating an amount in excess of the taxes to be collected by him The bond or bonds given by the township treasurer shall be for the use of the township the county the institution district and the school district Said bonds shall be filed with the township commissioners

Section 1101 Oath and Bond of Controller The township controller where such office has been created shall before entering upon the duties of his office take and subscribe the oath prescribed by this act for township officers and shall give bond to the township [with two or more sureties or] with a surety company or other company authorized by law to act as surety to be approved by the board of commissioners in the sum of twenty thousand dollars conditioned for the faithful discharge of his duties and so adequately protect the township from any illegal or unfaithful action by the controller The cost of such bond shall be paid by the township.

The township controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the amount thereof [and the responsibility of the sureties] before the court of common pleas

Section 1202 Bond The township solicitor shall if the board of commissioners so requires give a bond to the township with [two or more sureties or one bonding company] a surety company or other company authorized by law to act as surety to be approved by the board of commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1302 Bond The township engineer shall if the board of commissioners so requires give a bond to the township with [two or more sureties of one bonding company] a surety company or other company authorized by law to act as surety to be approved by the board of commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners the board shall have power

* * * * *

IV Township Manager To create by ordinance the office of township manager and in like manner to abolish the same

The powers duties term of office and compensation of the township manager shall be regulated by ordinance The commissioners may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the township manager He shall if required by the township commissioners give a bond to the township with [one or more sureties or one bonding company] a surety company or other company authorized by law to act as surety to be approved by the commissioners in such

sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko.

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 502 514 and 530 of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 502 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties such bond shall be with a surety company or other company authorized by law to act as surety and the township may pay the premium on such bond [No auditor or supervisor of the township shall become a surety on the bond of any township officer]

Section 514 Road Districts Superintendents and Roadmasters The board of township supervisors immediately after their organization shall divide the township into one or more road districts They shall employ a superintendent for the entire township or a roadmaster for each district Every superintendent and roadmaster so employed must be a person physically able to work on and maintain the roads Township supervisors may require such superintendents or roadmasters to give bond with [approved security] a surety company or other company authorized by law to act as surety for the faithful performance of their duties The superintendent or roadmaster shall be subject to removal by the board of supervisors The supervisors shall fix the wages to be paid either per hour per day per week semimonthly or monthly to the superintendent or roadmasters and laborers for work on the roads and bridges which wages shall not exceed wages paid in the locality for similar services

This section shall not prohibit the township supervisors from being employed as superintendents or roadmasters or as laborers if physically able to work on and maintain the roads In such cases they shall not employ a superintendent or roadmasters and their compensation shall be fixed as hereinafter provided

Two or more townships may appoint the same person as superintendent

Section 530 Bond The treasurer appointed by the board of township supervisors if an individual shall give bond with [at least two sufficient sureties or a surety company to be approved by] a surety company or other company authorized by law to act as surety and filed with the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township and all moneys paid by the State to the township and received by him only upon a written order signed by two members of the board of supervisors for the delivery to his successor in office of all books papers and documents for the payment to such successor of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Dent,	Kopriver, Jr.	Miller,	Watkins,
Diehm,	Lane,	Propert,	Watson,
Crowe,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Yosko.

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 15, on second reading, entitled:

An Act to amend subsection (d) of Section 7 of the act approved the twenty-second day of May one thousand nine hundred fifty-one (P. L. 317) entitled "An act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws" by extending the time during which certain persons may make application for licensure without examination.

be re-referred to the Committee on Public Health and Welfare.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 495, entitled:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom" by conferring on orphans' courts exclusive jurisdiction of all manner of proceedings affecting birth records.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 500, Printer's No. 386, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 505, entitled:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" by the changing of consent thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act to amend Section 306 of the act approved the eighteenth lay of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such states or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for an additional disqualification of persons petitioning for appointment as personal representative.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 583, entitled:

An Act to add Section 1.1 to the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1458) entitled "An act relating to records of governmental departments or agencies or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic microfilm micro-carl miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records" by authorizing prothonotaries to make or accept photostatic or microfilm copies of legal documents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan the contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts and fixing the rights and duties of minors the minors' parents or guardians and the depository bank with respect thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to steal, or to purchase or receive for use as junk or scrap metal, any veteran's grave marker or emblem; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 640, Printer's No. 314, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that writ of certiorari shall not be a supersedeas unless bond is filed and clarifying provisions as to require lapse of time before the issuance of notice of forcible ejectment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 669, entitled:

An Act to repeal the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 188) entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States including all departments bureaus commissions and other agencies thereof existing under acts of the Congress of the United States and to the Government of any state or commonwealth of the United States and to any county city borough township or other organized subdivision of any state or commonwealth of the United States and to any institution maintained by or receiving aid from any state or commonwealth of the United States or any organized subdivision thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consileration of Senate Bill No. 670, entitled:

An Act to repeal the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 304) entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries reformatories and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof independent of payments provided by law for inmates directly laboring on industries therein."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 671, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizating the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice changing the title of certain boards of trustees and defining their duties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Section 2, page 8, line 7, by inserting after the word "institution" and before the word "and", the following: "within the Department of Justice".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672, entitled:

An Act to repeal section six of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1044) entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary prison workhouse house of correction or any other institution for adult prisoners under sentence of law to some other prison penitentiary workhouse house of correction or other institution for adult prisoners" by eliminating transfers to the Central State Penitentiary at Rockview

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven nine hundred twelve nine hundred thirteen nine hundred fourteen and nine hundred fifteen to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain powers of the Department of Welfare to the Department of Justice and imposing certain duties upon the Department of Justice

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions and repealing certain acts or parts of acts.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Sec. 2, page 2, line 2, by inserting after "Huntingdon": "Blair, Clarion, Elk, Forest".

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees abolishing certain penal institutions imposing duties upon the Commissioner of Correction of the Department of Justice and providing for the costs of transportation and maintenance of inmates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents creating in the Department of Justice correctional diagnostic and classification centers providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution fixing the responsibility for costs of transportation and maintenance of such persons prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto making civil and criminal laws applicable to penitentiaries and persons therein are responsible therefor applicable in the case of the said institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act approved the twenty-fourth day of March one thousand nine hundred twenty-one (P. L. 48) entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary and from the Western Penitentiary to the Eastern Penitentiary and their imprisonment in the penitentiary to which transferred imposing the cost of the maintenance of convicts so

transferred upon the counties in which they were convicted directing that certain notice of such transfer of a convict be given and making appropriations" by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1257, entitled:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bills reported from committees, with the exception of House Bill No. 573 and House Bill No. 574, for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 281, entitled:

An Act authorizing corporations to grant stock options, pensions, and allowances to officers and employes under certain circumstances; validating stock options, pensions, and allowances heretofore granted; and repealing inconsistent laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by designating the Department of Justice for the Department of Welfare.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President

Mr. YOSKO. Senator Mahany, you are one of the co-sponsors of a series of bills that are on the Calendar now which were prepared, I am assuming, from the report prepared and submitted by the Devers Committee, appointed by the Governor to investigate conditions in State prisons.

If my memory serves me correctly, there were a number of recommendations from that committee which include a capacity of 500 prisoners at the Eastern Penitentiary, the Western Penitentiary, at Graterford, at Rockview and at Huntingdon, which is to be transformed into a penitentiary. There is also a recommendation in that report calling for the training of the personnel as well as establishing new wage scales for the personnel. There is another recommendation in that report calling for the separation of the female inmates at Morganza to a separate institution.

Are these provisions provided for in the series of bills that are now on the Calendar, and of which you are a co-sponsor?

Mr. MAHANY. Mr. President, I have introduced those bills in connection with the Devers Committee Report and recommendations which have been prepared by the Justice Department and turned over to me. There are some of those recommendations which you enumerated that are not incorporated in these bills.

Mr. YOSKO. Is there any reason why these very important recommendations are not incorporated in the bills. Frankly, I think these recommendations are the guts of the situation which is confronting the people of Pennsylvania today; overcrowding, lack of training of personnel, underpayment of personnel by way of salaries, and the segregation of the women inmates from the male inmates.

Mr. MAHANY. Well, Mr. President, we are introducing these bills as fast as they come from the Justice Department, and certainly the Senator can find no fault with the speed in which they are reported from committee. We had another one introduced today, and Senator Walker polled his Judiciary General Committee, to which it was referred, and it is out and is now taking first reading on the very day on which it was introduced.

I do not believe that these bills which we have presented complete the package, but tomorrow we are going to have an interview with Attorney General Woodside, and I will find out where the rest of the bills are and I will inform you further tomorrow about the rest of the package.

Mr. YOSKO. May I then inquire, so that we have it on the record, whether you will take these recommendations up with the Attorney General to determine whether amendments will be made to the bills that are now on the Calendar or whether separate bills will be prepared and introduced to take care of these very important recommendations of the Devers Committee?

Mr. MAHANY. Mr. President, I presume that new bills will be prepared and sponsored. I will advise you further tomorrow about that, Senator.

BILL INTRODUCED AND REFERRED

Mr. WOLFE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WOLFE and WAGNER read in place and presented to the Chair Senate Bill No. 692, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits to school employes resigning from school service to enter the armed forces of the United States.

Which was committed to the Committee on Education.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, June 16, 1953, at 10:00 o'clock a. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:42 o'clock p. m., Eastern Standard Time, until Tuesday, June 16, 1953, at 10:00 o'clock a. m., Eastern Standard Time.

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SENATE

TUESDAY, June 16, 1953

The Senate met at 10.00 o'clock a. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (John M. Walker) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Lancaster, Mr. KESSLER, offered the following prayer:

O Lord, our God, we thank Thee again for the privilege of meeting here today. Many times it seems as though our abilities do not measure up to the tasks that we have and, individually, that is probably true. However, with Thy help, nothing is impossible.

Send down Thy Spirit, therefore, to dwell among us and bless us in these proceedings, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WOLFE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. PECHAN, because of important personal business.

He also asked and obtained leave of absence for Mr. PEELOR, because of important personal business.

REPORTS FROM COMMITTEES

Mr. FLEMING, from the Committee on Local Government reported as committed, Senate Bill No. 631, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the provisions relating to zoning ordinances.

He also, from the Committee on Local Government, reported as committed House Bill No. 965, entitled:

An Act to add Article XX-A to the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the creation of planning commissions and prescribing their powers and duties.

He also, from the Committee on Local Government, reported as committed House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

He also, from the Committee on Local Government, reported as committed House Bill No. 1271, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the compensation of auditors.

He also, from the Committee on Local Government, reported as committed House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050) entitled "Local Tax Collection Law," by requiring bonding companies as sureties on bonds of tax collectors.

BILL RE-REFERRED

He also, from the Committee on Local Government, reported as committed House Bill No. 822, entitled:

An Act to amend sections 5 and 6 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," by increasing the amount of the contributions to be made by the officers and employes.

Which was re-referred to the Committee on State Government.

Mr. PROPERT, from the Committee on Local Government, reported as committed House Bill No. 1301, entitled:

An Act to amend the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 215), entitled "The Water Supply District Law," by further regulating the appointment or election of the governing board and officers of water supply districts; conferring powers and imposing duties upon the legislative bodies of political subdivisions; providing for water supply district representatives; defining their powers and duties and clarifying provisions relating to costs and charges

BILLS INTRODUCED AND REFERRED

Messrs. LENT, LANE and LEADER read in place and presented to the Chair Senate Bill No. 693, entitled:

An Act to repeal the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1161), entitled "An act to provide for the prompt, peaceful and just settlement of labor disputes between public utlity employers engaged in furnishing electric, gas, water and steam heat services to the public and their employes which cause or threaten to cause strikes, lockouts, slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utlity services; and providing means, including regulations affecting the rights, powers and privileges of employers and employes for the enforcement of such public policy; and providing penalties."

Which was committed to the Committee on Labor and Industry.

Messrs. MILLER and BLASS read in place and presented to the Chair Senate Bill No. 694, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating Port Authorities to function in counties of the fourth class, as bodies corporate and politic, with power to plan, acquire, construct, maintain and operate facilities and projects for the improvement and development of the port district, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on the Authorities; authorizing the Authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates and services; requiring the approval of the General Assembly for any acquisition of a facility or project by an Authority, and authorizing the Authorities to collect tolls, fares, fees, rentals and charges for the use of facilities; defining the Authorities' powers and duties and defining the port districts.

Which was committed to the Committee on State Government.

Messrs. KOPRIVER, JR., WALKER, FLEMING, BARR and HOLLAND read in place and presented to the Chair Senate Bill No. 695, entitled:

An Act fixing the salary, of jury commissioners in counties of the second class.

Which was committed to the Committee on Local Government.

Mr. McCUSKER read in his place and presented to the Chair Senate Bill No. 696, entitled:

An Act to further amend Section 11 of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by further regulating credit for service with a school district of the first class for members of a first class city pension fund.

Which was committed to the Committee on Education.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 16, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns, it reconvene on Wednesday, June 24, 1953, at three o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to addres the Senate.

Mr. LANE. Mr. President, House Bill No. 573, Printer's No. 266, and House Bill No. 574, Printer's No. 221, are, in my opinion, two of the most obnoxious and punitive pieces of legislation that have hit the floor of the Senate. The enactment into law of this legislation will have far-reaching effect on the finances of local political subdivisions. Actually, it is a basic change in the Commonwealth's tax structure and may necessitate in my opinion, even greater State aid in the future to local communities.

One of the most dangerous provisions of House Bill No. 573 is the term "other equipment" and, according to the wording and phraseology of the amendment, the legislation bans the assessing of such equipment that is built into or becomes a part of a building and, of course, most political subdivisions assess structures of this nature as a part of the value of the building.

Mr. President, it seems to me that a highly organized lobby is operating in the Senate with the express idea in mind of enacting this legislation into law for the benefit of the vested interests in the Commonwealth. Most of you must realize that, under the provisions of this act, you are taking the tax off the back of those who have the ability to pay and placing it smack upon the back of the little fellow, the small home owner in every community in this Commonwealth, with the exceptions of the counties of the second class.

It seems to me, Mr. President, that, under the Uniformity Clause of our Constitution, whereby we must have uniformity in the levying of taxes, I am wondering whether or not counties of the second class could be exempted from the provisions of this act. Not that I want them saddled with the discriminatory provisions contained therein; however, I would like to have that thought in the record.

Mr. President, the statute pertaining to the taxing of machinery has been a law of this Commonwealth since the year 1833 and, all of us must agree, that machinery is the only part of a plant capable of producing a profit, sometimes far in excess of its original cost. Machinery today in industry is supplementing labor, especially in our mines, our mills and in our factories in Western Pennsylvania.

Mr. President, it seems to be an admitted fact that the Commonwealth is confronted with a financial crisis, and the leadership on the Republican side admit that they need at least 118 million dollars in new taxes in order to balance the budget for this biennium. I hear a lot of talk about placing the cost or a portion of the cost, of

government back on the local political subdivisions in order to ease the State's financial burden, and now we have legislation which will even cripple the communities further by legislating away from them a great source of revenue.

Mr. President, I want the people of Pennsylvania to know that, in my opinion the leadership of the Republican Party in Pennsylvania seems to wear the collar of big business. It seems that our National Government is operated for the benefit of General Motors, and here in Pennsylvani we seem to be operating for the benefit of the Sun Oil Company and the Manufacturers' Association. In other words, Mr. President, the passage of this legislation could be nothing less than a payoff to those who contribute to the coffers of the Republican Party here in Pennsylvania.

I might further add, Mr. President, that, in my opinion, this legislation is unconstitutional because it violates the provisions of Article III, Section 7, and Article IX, Sections 1 and 2, of the Constitution of the Commonwealth, which specifically sets forth that the Legislature cannot exempt property from taxation, and the Supreme Court of this Commonwealth has ruled that machinery is property.

Mr. President, I therefore, feel that before further consideration is given to this legislation, we should submit this problem to the Attorney General of the Commonwealth, and he should render an official opinion.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to addres sthe Senate.

Mr. MAHANY. Mr. President, I can understand Senator Lane's eagerness to debate this bill. However, I wish that he would wait until such time as it properly appears before us. Then we can debate it on both sides. At this time, I am sure Senator Lane will give us the benefit of all those arguments again and, perhaps, someone on this side can tell us why this is good legislation.

Mr. President, I wish that the Members of the Senate would wait until we get to the firing line before they start firing. We will be here next week, Senator Lane, and we will debate this bill at length.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I wish to assure the gentleman that I certainly will debate the bill at length.

Mr. President, what I want to do here today, however, is let the people know what is going on. We do not have the time. I can see by the way things are going that this is going to be steam-rolled through here, and it will work a hardship on everyone. I want the people to know—and I am serious about this—that we must do something and we must do it quickly.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order:

Senate Bill No. 163, Printer's No. 294 and

Senate Bill No. 557, Printer's No. 291.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 495, as follows:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom" by conferring on orphans' courts exclusive jurisdiction of all manner of proceedings affecting birth records

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (15) of Section 301 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom" is hereby amended to read as follows

Section 301 Exclusive Jurisdiction The orphans' court shall have exclusive jurisdiction of

* * * * *

(15) Birth Records [Matters relating to birth records as provided by law] All proceedings which may be necessary to be presented to a court for determination with regard to issues concerning recordation of birth and birth records or the alteration amendment or modification of such birth records or the right to obtain a certified copy of the same Whenever a person is entitled to take an appeal from the action of the Department of Health in connection with any matters concerning birth records the appeal shall be taken to the orphans' court of the county in which the person is resident In all other matters in which a petition is addressed to a court in connection with matters of birth records the filing of which petition is not in the nature of an appeal but is an original proceeding shall be filed and determined by the orphans' court of the county in which the petitioner resides

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 505, as follows:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" by the changing of consent thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" and as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 521) is hereby further amended to read as follows

Section 1 Be it enacted &c That no person shall be joined in marriage in this Commonwealth until a marriage license shall have been obtained from the clerk of the orphans' court of any county A license so issued shall authorize the marriage ceremony to be performed in the county where the license is issued or in any other county of this Commonwealth Prior to the issuance of said license the clerk of the orphans' court shall be satisfied as to the identity of one or both of the applicants Said license shall be in the form as follows

State of Pennsylvania } SS
County of }

to any minister of the gospel justice of the peace or other officer or person authorized by law to solemnize marriage

You are hereby authorized to join together in the holy state of matrimony according to the rites and ceremonies of your church society or religious denomination and the laws of the Commonwealth of Pennsylvania A..... B ..... of full age and never heretofore married and C ..... D ..... likewise of full age and never heretofore married

Given under my hand and seal of the orphans' court of said county of at this day of Anno Domini one thousand ..... Clerk

But if [either of said parties] the male party be not of the full age of twenty one years and the female party be not of the full age of eighteen years then in lieu of the words "of full age" his or her age shall be stated and the fact of consent of parents or guardians shall likewise be stated and if either of said parties shall have been married previously to the issuing of such license then in lieu of the words "never previously married" the number of times he or she shall have been previously married and the mode by which said prior marriage or marriages was or were dissolved shall be stated and if by divorce the cause for which such divorce shall have been granted

The license shall have appended to it two certificates numbered to correspond with said license (one marked original and one marked duplicate) which shall be in form as follows

I ..... hereby certify that on the day of one thousand at ..... and were by me ( ) united in marriage in accordance with license issued by the clerk of the orphans' court of ..... county Pennsylvania numbered

(Signed) .....

(Minister of the gospel justice of the peace or alderman)

"An the certificate marked 'original' shall by the person solemnizing the marriage be given to the persons married and the certificate marked 'duplicate' shall be returned to the clerk of the orphans' court of the proper county as provided in section four of this act Provided That in all cases in which the parties intend solemnizing their marriage themselves no such marriage shall take place until the clerk of the orphans' court of the proper county shall certify their right so to do in declaration in the following form

"To A ..... B ..... and C ..... D .....

"Legal evidence having been furnished to me in accordance with the act of Assembly approved the day of one thousand eight hundred and eighty-five this certifies that I am satisfied that there is no legal impediment to you joining yourselves together in marriage

A.....B.....Clerk

"An in lieu of the certificate above given there shall be appended to such declaration two certificates in the following form

"We hereby certify that on the day of one thousand nine hundred and we united ourselves in marriage at . in the county of having first obtained from the clerk of the orphans' court of said county a declaration that he was satisfied that there was no existing legal impediment to our so doing

"A.....B.....
"C.....D.....

"We the undersigned were present at the solemnization of the marriage of A.....B..... and C.....D..... as set forth in the foregoing certificate

"D.....E.....,
"E.....F....."

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 554, Printer's No. 293, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 561. as follows:

An Act to amend Section 306 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for an additional disqualification of persons petitioning for appointment as personal representative

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 306 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" is hereby amended to read as follows

Section 306 Persons Not Qualified No person shall be qualified to serve as personal representative who is

(1) Under twenty-one years of age

(2) A corporation not authorized to act as fiduciary in the Commonwealth

(3) A person other than an executor designated by name or description in the will found by the register to be unfit to be entrusted with the administration of the estate

(4) The nominee of any beneficiary legatee or person having any interest whatsoever when such beneficiary legatee or person is a citizen or resident of any country outside the territorial limits or possessions of the United States when it shall appear doubtful to the register that in the distribution of the estate any such person will have the actual benefit use enjoyment or control of the money or other property representing his share or interest therein

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 583, as follows:

An Act to add Section 1.1 to the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1458) entitled "An act relating to records of governmental departments or agencies or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic microfilm micro-card miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records" by authorizing prothonotaries to make or accept photostatic or microfilm copies of legal documents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1458) entitled "An act relating to records of governmental departments or agencies or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic microfilm micro-card miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records" is hereby amended by adding after Section 1 thereof a new section to read as follows

Section 1.1 (a) When legal documents are filed with the prothonotary of any county he may have such documents recorded copied or reproduced by any photographic photostatic microfilm micro-card miniature photographic or similar process which accurately reproduces or forms a durable medium The original so reproduced may be destroyed unless its preservation is required by law

(b) The prothonotary of any county is also authorized to accept a copy or reproduction of any document legal instrument or writing and file or record same as if the original was submitted The person submitting the same shall execute an affidavit containing a statement that the copy or reproduction so submitted is exact in form and contents as the original Such copy or reproduction when satisfactorily identified shall be admissible in evidence as the original itself in any judicial or administrative proceeding

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 585, as follows:

An Act to amend clause (k) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (k) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended to read as follows

Section 9 Powers of an Authority An Authority shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act including the following powers in addition to those herein otherwise granted

* * * * *

(k) To sell lease or otherwise transfer any real property located outside of a redevelopment area and subject to approval by the local governing body any redevelopment area either as an entirety to a single redeveloper or in parts to several redevelopers Provided That with respect to a redevelopment area the Authority finds that the sale lease or other transfer of any such part will not be prejudicial to the sale or lease of other parts of the redevelopment area nor be in any other way prejudicial to the realization of the redevelopment proposal approved by the governing body

Section 2 All proceedings heretofore had and held by any Redevelopment Authority to sell lease or otherwise transfer any of its real property located outside of a redevelopment area under the provisions of the act which this is an amendment and the acts amendatory thereof and supplementary thereto be and the same are hereby ratified confirmed and made valid

All of the deeds leases or other conveyances issued executed or made or to be issued executed or made in pursuance of such proceedings be and the same are hereby ratified confirmed and made valid and the title to such interest as may be thereby conveyed to any grantee lessee or other transferee be and the same is hereby ratified confirmed and made valid in such grantee lessee or other transferee

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 590, Printer's No. 315 and

Senate Bill No. 591, Printer's No. 310.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 632, as follows:

An Act authorizing minors to open and maintain bank accounts and fixing the rights and duties of minors the minors' parents or guardians and the depository bank with respect thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any minor may open and maintain a bank account in any bank bank and trust company national bank savings bank trust company or private bank and make deposits therein in his name and any such institution is authorized to accept such deposits and shall pay the same and any interest thereon to such minor without the assent of his parent or guardian and without any liability or obligation with respect thereto other than the ordinary liability or obligation to a depositor who is of full age All actions of any such minor with respect to any such account the deposits therein or the withdrawals therefrom shall be binding upon such minor with like effect as if such minor were of full age The parent or guardian of such minor shall not in his capacity as parent or guardian have the power or right to attach or interfere in any other manner whatsoever with such account the deposits therein or the withdrawals therefrom

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 634, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after Section 814 a new section to read as follows

Section 814.1 Larceny of Veterans' Grave Markers Whoever steals or attempts to steal any veteran's grave marker or emblem is guilty of larceny a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both

Section 2 Said act is hereby amended by adding after Section 879 a new section to read as follows

Section 879.1 Purchase of Veteran's Grave Marker for Junk Whoever buys or receives for use as junk or scrap metal any veteran's grave marker or emblem is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska	Mallery,	Stiefel,
Barr,	Hare	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent	Lane,	Propert,	Weiner,
Diehm	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 659, as follows:

An Act to amend Section 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that writ of certiorari shall not be a supersedeas unless bond is filed and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" are hereby amended to read as follows

Section 506 Appeal Certiorari Within five days after the rendition of judgment either party may appeal to the next court of common pleas upon filing in that court a bond with one or more sufficient sureties conditioned for the payment of all costs and rent that have accrued or may accrue up to the time of final judgment and for damages assessed if any in case the judgment shall be affirmed Any such appeal shall be tried in the same manner as other suits are tried Such appeal shall not be a supersedeas to the writ of possession in any case except upon special allowance of the court to which the appeal is taken

If upon the appeal the jury shall find in favor of the tenant they shall also assess any damages which he may have sustained by reason of his removal from the premises and judgment shall be entered for such damages and costs and that the tenant shall retain or recover possession of the demised real estate as the case may be The tenant shall have the necessary writ or writs of execution to enforce said judgment

A writ of certiorari to remove the proceedings before the justice of the peace may be had as in other cases and the court of common pleas shall review the same de novo

Such writ of certiorari shall not be a supersedeas to the writ of possession unless a bond with surety be filed containing the same conditions as required for filing an appeal as provided in this section

Section 509 Return Where Tenant Retains Forcible Possession Notice to Tenant That Alias Writ Will be Issued Requiring Use of Force and Service Thereof In any case brought by a landlord before a justice of the peace for the recovery of the possession of real property if there is no supersedeas to the writ of possession and the tenant or occupant forcibly detains the real property against the officer serving the writ of possession the constable or sheriff shall make return of the writ as follows "Unserved because the tenant or occupant forcibly detains possession of the real property"

Whereupon after the expiration of [ten days from the rendition of judgment by the justice of the peace as in this article provided and] five days from the issuing of the writ of possession to the officer as in this article provided such officer shall notify in writing the tenant or occupant that an alias writ of possession will be issued setting forth his duty to use such force as may be necessary by the breaking in of any door or otherwise to enter upon the real property for the purpose of executing a writ of possession in accordance with the judgment obtained

Any such notice may be served personally on the tenant or occupant or by leaving same at the principal building upon the premises or by posting the same conspicuously on the leased premises

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 669, as follows:

An Act to repeal the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 188) entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States including all departments bureaus commissions and other agencies thereof existing under acts of the Congress of the United States and to the Government of any state or commonwealth of the United States and to any county city borough township or other organized subdivision of any state or commonwealth of the United States and to any institution maintained by or receiving aid from any state or commonwealth of the United States or any organized subdivision thereof"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 188) entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States including all departments bureaus commissions and other agencies thereof existing under acts of the Congress of the United States and to the Government of any state or commonwealth of the United States and to any county city borough township or other organized subdivision of any state or commonwealth of the United States and to any institution maintained by or receiving aid from any state or commonwealth of the United States or any organized subdivision thereof" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 670, as follows:

An Act to repeal the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 304) entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries reformatories and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof independent of payments provided by law for inmates directly laboring on industries therein"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 304) entitled "An act authorizing and directing the Department of Welfare to pay from the maufacturing fund wages to all inmates in penitentiaries reformatories and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof independent of payments provided by law for inmates directly laboring on industries therein" is hereby repealed

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 671, Printer's No. 337, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 672, as follows:

An Act to repeal section six of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1044) entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary prison workhouse house of correction or any other institution for adult prisoners under sentence of law to some other prison penitentiary workhouse house of correction or other institution for adult prisoners" by eliminating transfers to the Central State Penitentiary at Rockview

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1044) entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary prison workhouse house of correction or any other institution for adult prisoners under sentence of law to some other prison penitentiary workhouse house of correction or other institution for adult prisoners" as added by the act approved the twenty-third day of April one thousand nine hundred twenty-nine (P. L. 640) is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 673, Printer's No. 329, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 674, as follows:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions and repealing certain acts or parts of acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the more convenient administration of the State penal and correctional institutions the Commonwealth shall be divided into two districts known as the Western District and the Eastern District

Section 2 The counties of Fayette Greene Washington Allegheny Westmoreland Somerset Bedford Huntingdon Blair Clarion Elk Forest Centre Mifflin Clearfield McKean Potter Jefferson Cambria Indiana Armstrong Butler Beaver Mercer Crawford Venango Erie Warren Lawrence Cameron Clinton Juniata and Fulton shall compose the

Western District and the residue of the State shall compose the Eastern District

Section 3 The following acts and parts of acts are hereby repealed as respectively indicated

Section one of the act approved the tenth day of April one thousand eight hundred twenty-six (P. L. 280) entitled "An act relative to the state penitentiary in the county of Allegheny" absolutely

Section five of the act approved the twenty-fifth day of March one thousand eight hundred fifty (P. L. 277) entitled "A supplement to an act entitled 'An Act erecting parts of Beaver and Mercer counties into a separate county to be called Lawrence' approved the twentieth day of March Anno Domini one thousand eight hundred and forty-nine" absolutely

The act approved the twenty-seventh day of April one thousand eight hundred seventy-one (P. L. 293) entitled "An act in relation to the allotment of prisoners to the Eastern and Western penitentiaries" absolutely

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 675, as follows:

An Act creating certain penal and correctional institutions and boards of trustees abolishing certain penal istitutions imposing duties upon the Commissioner of Correction of the Department of Justice and providing for the costs of transportation and maintenance of inmates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There are hereby created as departmental administrative boards in the Department of Justice new boards of trustees which shall have general direction and control of the property and management as provided by The Administrative Code the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) as amended of certain institutions which the Department of Justice is hereby specifically authorized to establish

(a) The Board of Trustees of the State Penitentiary at Rockview

(b) The Board of Trustees of the State Penitentiary at Graterford and

(c) The Board of Trustees of the State Penitentiary at Huntingdon

Section 2 The Commissioner of Correction of the Department of Justice shall formulate a State-wide plan of operation of the penal and correctional institutions within the Department of Justice and the institutions at Rockview Graterford and Huntingdon shall be used for maximum medium and minimum security institutions in accordance with the plan adopted by the Commissioner of Correction Provided however That each institution shall have a separate warden or superintendent and the practice of having branch institutions shall be abolished

Section 3 Each of the institutions hereby authorized when established shall receive and care for those persons assigned or transferred thereto by the Deputy Commissioner for Treatment of the Department of Justice in accordance with law

Section 4 The costs of transporting persons to and from the institutions hereby authorized and the costs of their maintenance therein shall be borne by the Commonwealth and the several counties to the extent and in the manner now provided by law

Section 5 This act shall become effective as to each institution and its board of trustees herein provided for upon the date fixed by the Governor in a proclamation pertaining to that institution

Section 6 The act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 571) is hereby repealed which repeal shall become effective as to each institution and its board of trustees upon the date fixed by the Governor in a proclamation pertaining to that institution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 676, as follows:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents creating in the Department of Justice correctional diagnostic and classification centers providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution fixing the responsibility for costs of transportation and maintenance of such persons prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto making civil and criminal laws applicable to penitentiaries and persons therein or responsible therefor applicable in the case of the said institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the more effective treatment of persons convicted of crime in this Commonwealth and sentenced to a State institution and to make possible the more intelligent treatment of persons determined under the law to be defective delinquents two classification centers for the diagnosis and classification for assignment to the proper State institution are hereby established They shall be known as the Eastern Correctional Diagnostic and Classification Center and the Western Correctional Diagnostic and Classification Center

Section 2 The Commissioner of Correction with the approval of the Attorney General is hereby authorized and directed to designate set apart and equip so much of the land and buildings of the Eastern and Western Penitentiaries as may be requisite for use by the Bureau of Correction of the Department of Justice for the Eastern Correctional Diagnostic and Classification Center and for the Western Correctional Diagnostic and Classification Center

Section 3 Every person hereafter sentenced by any court in this Commonwealth to a State institution except those condemned to death and every person hereafter committed as a defective delinquent shall be sent to and received by the Eastern Correction Diagnostic and Classification Center if sentenced from a county in the Eastern District and by the Western Correctional Diagnostic and Classification Center if sentenced from a county in the Western District

Section 4 Every person delivered to and received by either Diagnostic and Classification Center in accordance with this act shall be therein confined diagnosed and classified by the Deputy Commissioner for Treatment for incarceration or care in the State institution deemed by him to be appropriate and transferred to such institution either for service of sentence or for custody as a defective delinquent as the case may be The Deputy Commissioner for Treatment shall have exclusive responsibility for making such transfers

Section 5 Upon transfer of each person from either Diagnostic and Classification Center the Deputy Commissioner for Treatment shall make a written report of his examination and findings which shall include a designation of the institution of transfer and the date of transfer Within forty-eight (48) hours after the transfer this report shall be filed with the clerks of the court from which the person was sentenced or committed A copy of such report shall be sent to the institution to which the person was transferred to the Pennsylvania Board of Parole and to the Bureau of Correction of the Department of Justice The report in the office of the clerk of court shall be impounded and shall be accessible only upon authorization in writing by a judge of the court from which the person was sentenced or committed

Section 6 The Bureau of Correction subject to the approval of the Department of Justice shall have the power to make such rules and regulations as may be necessary to effectuate the purpose of this act

Section 7 The cost of transporting persons to and from the Diagnostic and Classification Centers and the cost of their maintenance therein shall be borne by the Commonwealth and the several counties to the extent and in the manner now provided by law

Section 8 Nothing herein contained shall be construed to limit the authority which the Deputy Commissioner for Treatment of the Department of Justice now has by law to transfer persons from one institution to another

Section 9 All laws civil and criminal not inconsistent herewith which are applicable to penitentiaries and to persons in charge thereof responsible therefor or working or incarcerated therein shall be applicable in the cases of the Diagnostic and Classification Centers

Section 10 This act shall become effective on the date fixed by the Governor in a proclamation or proclamations declaring the establishment of the Eastern Correctional Diagnostic and Classification Center and the Western Correctional diagnostic and Classification Center or either of them

Section 11 The act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 570) will become ineffective and repealed as of the date or dates of the proclamation or proclamations hereinbefore referred to

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed.	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 677, as follows:

An Act to amend the title and section one of the act approved the twenty-fourth day of March one thousand nine hundred twenty-one (P. L. 48) entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary and from the Western Penitentiary to the Eastern Penitentiary and their imprisonment in the penitentiary to which transferred imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted directing that certain notice of such transfer of a convict be given and making appropriations" by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fourth day of March one thousand nine hundred twenty-one (P. L. 48) entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary and from the Western Penitentiary to the Eastern Penitentiary and their imprisonment in the penitentiary to which transferred imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted directing that certain notice of such transfer of a convict be given and making appropriations" is hereby amended to read as follows

An Act

Providing for the transfer of convicts from the [Eastern Penitentiary to the Western Penitentiary and from the Western Penitentiary to the Eastern Penitentiary] State penitentiary and their imprisonment in the penitentiary to which transferred imposing the cost of the maintenance of convicts so transferred upon the coun-

ties in which they were convicted directing that certain notice of such transfer of a convict be given and making appropriations

Section 2 Section one of said act is hereby amended to read as follows

Section 1 Be it enacted &c That the [Board of Inspectors of the Eastern Penitentiary with the approval of the Board of Inspectors of the Western Penitentiary is hereby authorized and empowered to transfer any convicts imprisoned at any time in the Eastern Penitentiary from the Eastern Penitentiary to the Western Penitentiary and the Board of Inspectors of the Western Penitentiary with the approval of the Board of Inspectors of the Eastern Penitentiary is hereby authorized and empowered to transfer any convicts imprisoned at any time in the Western Penitentiary from the Western Penitentiary to the Easter Penitentiary] Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice is hereby authorized and empowered to transfer any convicts imprisoned at the time in any State penitentiary to any other State penitentiary and any convict so transferred shall serve out the unexpired term of his or her sentence in the penitentiary to which transferred in accordance with the laws in force with reference to the punishment of persons convicted of crime and sentenced to the State penitentiaries and as though such convict had been duly committed originally to the penitentiary to which transferred under the provisions of this act and had already served there for such time as had been served in the penitentiary from which transferred The transfer of any convicts made pursuant to the provisions of this act shall be under the direction of the [inspectors of both said penitentiaries] Deputy Commissioner for Treatment

Any convict transferred from one of said penitentiaries to the other under the provisions of this act may be transferred back to the penitentiary from which transferred in accordance with and subject to the provisions hereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass.	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 951, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meters charges providing for the construction of sidewalks and the assessment and collection of certain cost thereof and for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 402 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 402 Officers to be Elected The electors of each township shall elect (a) three supervisors (b) one assessor (c) three auditors and (d) one tax collector no person shall at the same time hold more than one elective township office Provided That the office of justice of the peace shall not be considered an elective township office for the purposes of this section

Section 2 Section 420 of said act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 420 Supervisors If the electors of any township shall fail to choose a supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a succesor and upon their failure to make such appointment within thirty days after the vacancy occurs the court of quarter sesions shall appoint a successor upon the presentation of a petition signed by a supervisor and not less than five registered electors in either case the successor so appointed shall hold the office [until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected] for the unexpired term when a vacancy is so filled by the two remaining supervisors they shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter session

Section 3 Section 540 of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 540 Duties and Compensation The secretary in each township shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers in a minute book in which he shall also record all court orders relative to the laying out opening and vacating of roads The minute book account book and other financial records shall be carefully preserved by the seretary and shall be turned over to his successor in office Miscellaneous records and papers of the township other than the minute book and account book may be destroyed with the consent of the supervisors after the lapse of six years from the date of such records

The secretary shall prepare and write the annual tax duplicate of the township and shall receive such compensation therefor as shall be fixed by the township [audi-

tors] supervisors The combined amount paid to the secretary and treasurer for services exclusive of the compensation for the preparation of the annual tax duplicate shall not exceed three per centum of the money paid out by the treasurer but it shall not be less than fifty dollars and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 4 Section 545 of said act as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 805) and as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby reenacted to read as follows

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current year authorized in section 515 and 540 hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officer whose act error or omission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive six dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 5 Subsection A of section 590 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security of property make it necessary for the appointment of one or more policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more registered electors who shall be residents of the Commonwealth to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the supervisors of such township shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from the general township fund The supervisors of the township or townships may assign any policemen with his consent to undergo a course of training at any training school for policemen established and made available by the State or Federal Government and may provide for the payment by the township of his expenses or a part thereof while in attendance in such training school

* * * * *

Section 6 Clause VIII of section 702 of said act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

VIII Garbage Regulations To regulate or prohibit the dumping or otherwise depositing of garbage and rubbish within the township To prohibit accumulations of garbage and rubbish upon private property including the imposition and collection of reasonable fees and charges for the collection and removal thereof They shall also have power to

(1) provide by contract or otherwise for the collection removal and disposal through incinerating works garbage plants or otherwise of ashes garbage and rubbish and to prescribe penalties for the enforcement thereof any such contract may be made for a period not exceeding three years To erect maintain and operate garbage or incinerating plants either within or without the limits of the township in order to provide for the destruction of garbage and other refuse material and to provide for the payment of the costs and expense thereof either in whole or part out of the funds of the township and to acquire and to maintain lands and places for the dumping of ashes and other refuse material or in the absence of such collection removal and disposal plan for the entire township the supervisors shall

(2) on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition either with township employes and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The Supervisors shall levy a per capita assessment upon all adult residents of any such village sufficient to defray the cost of such removal and disposal Such assessment shall be collected in the same manner as per capita taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such assessments collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

* * * * *

Section 7 Clause XXIV of section 702 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXIV Regulations of Parking To regulate parking and provide parking accommodations so as to promote the convenience and protection of the public The supervisors shall also have power to erect parking meters and to regulate parking meter charges

* * * * *

Section 8 Clause XXVIII of Section 702 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1185) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific funds is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund in addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXVIII Abandoned [or Neglected] Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is [being neglected although occasionally used for burial purposes] abandoned the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct title thereof to be transferred to the township and the supervisors to care for such cemetery at a cost of not more than [sixty] one hundred dollars in any one year [and the] The supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public [as may be directed by the court] under the regulation and control of the supervisors

* * * * *

Section 9 Clauses XXXII and XL of Section 702 of said act as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXXII Fire Prevention To make regulations by ordinance relative to the cause and prevention of fires Such ordinances may adopt any standard fire prevention code published and printed in book form covering the above items without incorporating such code in the ordinance or any township may enact such fire prevention code as its ordinance authorized under the provisions of this clause In either event such code shall not be published or advertised in full as provided by this section in the case of the adoption of ordinances Notice of the adoption of such standard fire prevention code as the fire prevention ordinance of the township together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Pennsylvania State Police and a reference to the place or places within the township where copies of the code adopted are deposited and may be examined shall be published in the manner provided by this section for the publication of ordinances Not less than three such copies shall be made available to public inspection and use during business hours for a period of not less than three months after the adoption of such fire prevention code

* * * * *

XL Joint Municipal Agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in cooperating with other political subdivisions in promotion of the health of the citizens and residents of the township and other political subdivisions and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to all such political subdivisions

* * * * *

Section 10 Clause XLVII of Section 702 of said act as added by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XLVII Public Safety To take all needful means for securing the safety of persons or property within the township including the control of disorderly practices

* * * * *

Section 11 Subsection A of Section 905 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) and as last amended in part by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) and the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified All taxes shall be collected in cash

1 An annual township tax for road bridge and general township purposes not later than the fourth Monday of March of each year not exceeding nine mills [except where necessary to pay existing indebtedness and interest thereon in which case not more than two additional mills may be levied] Where the board of supervisors by a majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than [eleven] nine mills but not exceeding five additional mills to be levied Such annual township tax shall include all levies for road bridge and general township purposes [and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for such purposes Not less than ten per centum of the annual township tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for such purposes for the payment of which indebtedness no provision has been made]

2 Upon receipt of a petition of a majority of the owners of real estate of the township requesting it an annual tax not exceeding five mills for the purpose of lighting the highways roads and other public places in the township in the manner provided by the general powers of this act and of defraying the cost charges and expenses thereof Nothing contained herein shall require a petition of owners of real estate in any township which is now lighting its streets and imposing taxes under this subsection for such purposes

3 An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for the township tax for the purpose of procuring a lot and erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith Provided The total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township 4 A tax not exceeding two mills and not exceeding the

amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but no new fire apparatus shall be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided

5 A tax not exceeding two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

6 A tax not exceeding two mills for the purpose of maintaining and operating parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers as hereinafter provided

7 An annual tax sufficient to pay interest on indebtedness and sinking fund charges

* * * * *

Section 12 Section 1402 of the Act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 1402 Construction of sidewalks or sidewalks and curbs upon petition of property owners or pursuant to ordinance (a) the township supervisors may construct sidewalks or curbs or sidewalks and curbs of suitable material along the roads or highways in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or sidewalks and curbs are to be constructed whenever any such petition is filed with the supervisors The owner of the property shall be given notice by the supervisors to construct such sidewalk or sidewalk and curb and in case of the failure of the owner to complete such sidewalk or sidewalk and curb within a period of sixty days after the receipt of such notice the supervisors may construct such sidewalk or sidewalk and curb as herein provided whenever any sidewalks or sidewalks and curbs are constructed by the supervisors The expense of the construction of such sidewalk or sidewalk and curb shall be paid by the abutting property owners in proportion to their frontage if such owners fail to so pay the expenses of the construction of such sidewalk or sidewalk and curb the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

(b) The township supervisors may also construct sidewalks of suitable material along the roads or highways in such townships pursuant to an ordinance authorizing such construction whenever any sidewalks are constructed by the supervisors pursuant to such ordinance the expense of the construction of such sidewalks shall be paid by the abutting property owners in proportion to their frontage but in no such instance shall any abutting property owner be liable for the construction of such sidewalks in an amount greater than ten percent of the assessed valuation of the abutting property owned by him any expense above such maximum liability of abutting property owners shall be paid by the townships if abutting property owners fail to so pay the expenses of the construction of such sidewalks for which they are liable The township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 13 Section 1901 of the act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 1901 [Designation and] Acquisition of Lands and Buildings The supervisors of any township may by ordinance separately or jointly designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called [recreation places] public parks recreation areas and facilities any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for any of such purposes or construct and equip new facilities upon such lands or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes Whenever the supervisors designate or acquire any lands with or without buildings under the provisions of this section except when the acquisition is under a lease for temporary use they may construct buildings and facilities thereon for the purposes herein indicated

Section 14 Sections 1902 1903 1904 1905 1906 and 1907 of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 1902 Creation of Park and Recreation Boards The authority to equip supervise and maintain [such recreation places] parks recreation areas and facilities and to conduct recreation programs may be vested in any existing body or board or in a park board or recreation board as the township supervisors may determine The supervisors may equip operate and maintain such [recreation places] parks recreation areas and facilities as authorized by this article Such supervisors may for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper If the supervisors shall determine that the power to equip operate and maintain parks recreation areas and facilities shall be placed in a recreation board such board shall possess of the powers and be subject to all the responsibilities of the board of supervisors under this article In such case the recreation board shall exercise its powers and duties in establishing standards qualifications and salary schedules to be approved by the supervisors for all classifications or recreation employes Whenever boroughs cities counties townships school districts or any of them develop a cooperative plan of recreation service with a township the township recreation board shall have the power to adjust its established personnel standards qualifications and salary schedules to be approved by the supervisors to meet the terms of a joint operation agreed upon

Section 1903 [Appointment of Park and Recreation Boards] Composition of Park or Recreation Boards [If the township supervisors shall determine that the power to equip operate and maintain such recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board Either of such] Park or recreation boards when established shall consist of five or seven persons and when established in a township having a school board two of the members shall be members or appointees of the school board The other members of such boards shall be appointed by the supervisors and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of [one member] not more than two members shall expire annually thereafter Members of such board shall serve without pay [Women shall be eligible for appointment] All persons appointed shall serve their full terms unless voluntarily resigned or removed by the supervisors for dereliction or neglect of duty Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 1904 [Officers of Board] Organization of Park

or Recreation Board Powers and Duties Delegated to the Board by the Supervisors The members of a park board or recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year [and may with the prior approval of the supervisors employ such persons as may be needed as authorized by this article] Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction Their jurisdiction shall include the right to select employ and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to the township supervisors including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met

Section 1905 [Joint Municipal Acquisitions] Joint Ownership and Maintenance Any township may jointly with any one or more townships boroughs and cities acquire property for and operate and maintain any [such recreation places] parks and public recreation areas and facilities Any school district may join with the township in equipping operating and maintaining parks public recreation areas and facilities and may appropriate money therefor

Section 1906 Bond Issues The township supervisors may issue bonds for the purpose of acquiring lands or building for [such recreation places] parks public recreation areas and facilities and for the equipment thereof

Section 1907 [Cost of] Maintenance and Tax Levy [Annual Tax Levies] All expenses incurred in the operation of such [recreation places] parks recreation areas and facilities established as herein provided shall be payable from the general township fund or from the treasury of such township borough city county or school district as may be provided for by the agreement of the corporate authorities The supervisors may annually appropriate an amount necessary for carrying out the provisions of this act and may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaing equipping and operating [such recreation places] the parks recreation areas and facilities and the programs thereon

Section 15 Article XIX of the act reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding thereto immediately after section 1907 two new sections to read as follows

Section 1907.1 Plan of Parks Recreation Areas and Facilities Every township shall have a general plan of its parks recreation areas and facilities including those which may have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township All subdivisions of property thereafter made shall conform thereto The location of parks recreation areas and facilities laid out and confirmed by the township supervisors shall not afterwards be altered without the consent of the supervisors and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the township until approved by the township supervisors

No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located park or recreation area after the same shall have been located or ordained by the township supervisors

Section 1907.2 Lands for Planned Parks and Recreation Areas to be Appropriated Within Three Years Whenever any park parkway or recreation area may hereafter be superimposed upon the confirmed plan of the streets parks and recreation areas of any township in the sections not entirely built up by ordinance of the township unless an ordinance actually appropriating the land within the lines of said park parkway or recreation area to public use is duly passed by the township supervisors or the land is acquired by the township supervisors within three years from the passage of the ordinance superimposing the plan upon the land the ordinance superimposing the plans upon the land shall be void and of no effect and the plan shall be automatically removed from the land as if it had never been placed thereon nor shall any plan again be superimposed on the said land without an accompanying ordinance condemning it to public use

Section 16 Sections 2007 and 2008 of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 2007 Board of Adjustment The supervisors may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article meetings of the board shall be held at the call of the chairman and at such other times as the board may determine the chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses all meetings of the board shall be open to the public the board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed with the township secretary and shall be a public record

Appeals to the board of adjustment may be taken by any person or township official aggrieved or affected by any provision of the zoning ordinance or by any decision of [the supervisors] any administrative officer hereinafter called the zoning officer charged with enforcing the provisions of the zoning ordinance such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the [township secretary] zoning officer and with the board of adjustment a notice of appeal specifying the grounds thereof the [secretary] zoning officer shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal shall stay all proceedings in furtherance of the action appealed from unless the [supervisors certify] zoning officer certifies to the board of adjustment after the notice of appeal shall have been filed that by reason of facts stated in the certificate a stay would in their opinion cause imminent peril to life and property in such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the [supervisors] zoning officer and due cause shown

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time upon the

hearing any party may appear in person or by agent or by attorney

The Board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by the [supervisors] zoning officer in the enforcement of this article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made notice of such decision shall forthwith be given to all parties in interest

Any person aggrieved by any decision of the board of adjustment or any taxpayer or [any supervisor] the board of supervisors may within thirty days after such decision of the board appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law and specifying the grounds upon which he relies upon presentation of the petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken the prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition on or before the return day of the writ the board of adjustment shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of an appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge thereof may prescribe

If upon the hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law the court may reverse or affirm in whole or in part or may modify the decision appealed as to it may appear just and proper

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 2008 Remedies in case any building or structure is erected constructed reconstructed altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the supervisors or with the approval of the supervisors the zoning officer or other proper official in addition to other remedies may institute in the name of the township any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 17 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1257, as follows:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties

Whereas the Federal Government by amendment to the Social Security Act (Public Law 734 81st Congress) has provided that if State plans for old age assistance aid to the blind and aid to the permanently and total disabled include payments to individuals in private or public institutions State authorities shall be responsible for establishing and maintaining standards for such institutions effective as of the first day of July one thousand nine hundred fifty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The purpose of this act is to comply with Federal law and regulations particularly the Social Security amendments of one thousand nine hundred fifty and to promote the public health safety and welfare by providing for the establishment enforcement and application of standards for the safe and adequate care of individuals in institutions herein defined

It is not the purpose of this act to authorize the duplication of the work of any State department heretofore now or hereafter charged with responsibilities and authority with reference to standards herein authorized To prevent such duplication the Department of Welfare may call upon any other department board or commission of the Commonwealth of Pennsylvania to cooperate with it in the performance of its duties and responsibilities hereunder

Section 2 Definitions As used in this act

"Institution" shall mean an establishment which furnishes (in single or multiple facilities) food and shelter to three or more persons unrelated to the proprietor and which provides some care or service which meet some need

beyond the basic provisions of food shelter and laundry

"Institution" shall include but not be limited to the following homes for the aged and infirm nursing homes convalescent homes rehabilitation centers providing living-in facilities boarding homes for adults which provide personal care and services hospitals and infimaries providing living-in arrangements

Section 3 Standards The Department of Welfare shall establish standards for the safe and adequate care of individuals not inconsistent with the laws of this Commonwealth and the rules and regulations of the various departments of the Commonwealth for all such institutions within this Commonwealth which standards shall make adequate and proper provisions for (a) fire protection (b) water supply and sewage disposal (c) sanitation (d) lighting and heating (e) ventilation (f) safety (g) equipment (h) bed space (i) keeping of records of identification of residents in the institution and their next of kin of medical care provided and all pertinent admission and discharge data and (j) humane care

In the establishment amendment or revocation of standards the Department of Welfare shall confer with an advisory committee of not less than seven or more than eleven persons to be appointed by the Secretary of Welfare with the consent of the Governor from representatives of recognized agencies and religious organizations conducting institutions and from the public at large The Secretary of Welfare or someone designated by him shall be the chairman of the advisory committee

Section 4 Inspection (a) The Department of Welfare shall be responsible for the maintenance of the standards herein provided and for that purpose the Department of Welfare or its duly authorized representative shall have free and full access to the premises and records mentioned in Section 3 above of any such institution and full opportunity to interrogate or interview any officer employe or resident thereof

The Department of Welfare shall also be responsible for the coordination and cooperation in the application of these standards where any other department board or commission of the Commonwealth of Pennsylvania may be charged either by law or by regulation with the enforcement of any standards herein authorized and where any department board or commission of the Commonwealth of Pennsylvania is charged with responsibilities relative to the enforcement of standards the Department of Welfare may ask for and such other department board or commission shall furnish it with the proper reports and information in order that the Department of Welfare may be satisfied that the standards are being observed.

When the Department of Welfare calls to the attention of any other department board or commission of the State government any failure to comply with the standards herein set forth such other department board or commission of the Commonwealth of Pennsylvania shall undertake the enforcement of the standards within their responsibility

(b) The Department of Welfare shall visit and inspect such institutions at least annually

Section 5 Violations Whenever the Department of Welfare shall upon inspection investigation or complaint find any violation in any institution of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by this act or by the department it shall give immediate written notice thereof to the officer or officers charged by law with or in any way having or exercising the control government or management of such institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceedings to enforce compliance therewith and the department may withhold any State money available for such institution until such officer or officers comply with such direction

Section 6 The provisions of this act shall become effective July 1 1953

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Haluska,	Mallery,	Stiefel,
Berger,	Hare,	McCreesh,	Taylor,
Bane,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Snowden,	Yosko,
Freed,	Mahany,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 281, entitled:

An Act authorizing corporations to grant stock options, pensions, and allowances to officers and employes under certain circumstances; validating stock options, pensions, and allowances heretofore granted; and repealing inconsistent laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 500, Printer's No. 386 and

Senate Bill No. 640, Printer's No. 314.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State govern-

ment providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government. every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay licenses fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by designating the Department of Justice for the Department of Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

FIRST READING CALENDAR

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 573, entitled:

"An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled 'An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws' by further defining real estate to be valued and assessed for taxation."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 574, entitled:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to zoning ordinances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 965, entitled:

An Act to add Article XX-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the creation of planning commissions and prescribing their powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Laws," by changing the provisions relating to protest by property owners to the exercise of zoning powers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the compensation of auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050) entitled "Local Tax Collection Law," by requiring bonding companies as sureties on bonds of tax collectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1301, entitled:

An Act to amend the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 215), entitled "The Water Supply District Law," by further regulating the appointment or election of the governing board and officers of water supply districts; conferring powers and imposing duties upon the legislative bodies of political subdivisions; providing for water supply district representatives; defining their powers and duties and clarifying provisions relating to costs and chanrges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for one hour for the purpose of awaiting a communication from the House.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, June 16, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns it reconvene on Wednesday, June 24, 1953, at three o'clock p. m., E. S. T.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, June 24, 1953, at three o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:43 o'clock p. m., Eastern Standard Time, until Wednesday, June 24, 1953, at three o'clock p. m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, JUNE 22, 1953. No. 53.

HOUSE OF REPRESENTATIVES

MONDAY, June 22, 1953.

The House met at 12:00 noon EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend John Yates, Harrisburg, guest Chaplain, offered the following prayer:

Our Heavenly Father, we pray Thee to direct and bless the members of this Assembly, to whom the people have entrusted power to enact laws so that efficient government, protection and justice may be maintained within the Commonwealth. In Christ's Name we pray. Amen.

ADJOURNMENT

Mr. JOHNSON. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 24, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 12:02 p.m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., WEDNESDAY, JUNE 24, 1953. No. 54.

SENATE

WEDNESDAY, June 24, 1953

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Our Father, we praise Thee for Thy great goodness, the many gifts which Thou hast bestowed upon us, and not the least of them is Thy spirit in our present day. We pray that Thy spirit will give us light and understanding to solve these problems which have come to us.

Guide us this day and this week; in Thy Holy Name, Amen

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Comonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 203, PRINTER'S No. 64.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 19, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 203, Printer's No. 64, entitled "An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled 'An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries' by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 548, PRINTER'S No. 229

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 19, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 548, Printer's No. 229, entitled "An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled 'An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohbit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceeding thereunder and making appropriations' by increasing the annual license fees on milk dealers."

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles G. Allan, R. D. No. 1, Box No. 479, Monaca, Beaver County. for appointment as Justice of the Peace in and for the Township of Potter, Beaver County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Duane E. Weidler, Meadville Road, Platea, Erie County, for appointment as Justice of the Peace in and for the Borough of Platea, Erie County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph D. Johnson, R. F. D. No. 4, Box No. 139, Erie, Erie County, for appointment as Justice of the Peace in and for the Township of Summit, Erie County, until the first Monday of January 1954, vice Frank A. Lennberg, Jr., resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Williams, 601 Charles Street, Houtzdale, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Houtzdale, Clearfield County, until the first Monday of January 1954, vice R. G. Reed, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Russell G. Clements, 1709 West Meetinghouse Road, Boothwyn, Deleware County, for appointment as Justice of the Peace in and for the Township of Upper Chichester, Delaware County, until the first Monday of January 1956, vice Robert J. Clements, deceased.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew C. Long, 660 Center Street, Shamokin, Northumberland County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1961, and until his successor shall have been appointed and qualified, vice Harold Moltz, Williamsport, resigned.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin J. Stroman, 1819 Forster Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the 15th Ward of the City of Harrisburg, Daupihin County, until the first Monday of January 1956, vice F. R. Laverty, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES,
EDINBORO STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm B. Mershon, 205 Lake Street, Girard, Erie County, for reappointment as a member of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold R. Humbert, 577 Reno Street, Rochester, Beaver County, for appointment as Justice of the Peace in and for the Borough of Rochester, Beaver County, until the first Monday of January 1954, vice William B. Brown, deceased.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 24, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Charles H. Arnold, III, Pittsburgh, 1522 Beechview Ave. (16).
F. W. Franz, Pittsburgh, 404 P. & L. E. Terminal Bldg. (19).
W. R. Kossler, Pittsburgh, 14 Wood St. (30).
E. R. Michalski, Pittsburgh, 1103 E. Carson St. (3).

BEAVER COUNTY

Robert S. Kerr, Ambridge.

BEDFORD COUNTY

Mrs. Josephine F. Minnich, Bedford.

BUCKS COUNTY

Charles R. Witmer, Sellersville.

CAMBRIA COUNTY

Richard W. Frombach, Croyle Twp., South Fork.
Mrs. Mary M. Kern, Adams Twp., South Fork.
Mrs. Edith Shaver, Johnstown.
Miss Verna Williams, Ebensburg.

CENTRE COUNTY

Mrs. Magdalen S. Lyon, Bellefonte.

FAYETTE COUNTY

W. B. Williams, Uniontown.

FRANKLIN COUNTY

Mrs. Joanne Y. Shoemaker, Guilford Twp., Chambersburg.

GREENE COUNTY

Paul E. West, Waynesburg.

LANCASTER COUNTY

Harold M. Gibble, Lancaster.

LAWRENCE COUNTY

H. M. McQuiston, North Beaver Twp., New Castle.

LEHIGH COUNTY

Miss Dorothy M. Hemingway, Allentown.
Mrs. Ruth E. Rabenold, Allentown.

LUZERNE COUNTY

Peter A. Cunningham, Wilkes-Barre.
Frank Molinaro Embrioc, Hazleton.

LYCOMING COUNTY

Miss Catharine E. Williamson, Williamsport.
Herbert G. Feigel, Cheltenham Twp., Elkins Park.
Miss Anne Hnath, Pottstown.

NORTHAMPTON COUNTY

Edwin H. Clause, Easton.
Mrs. Susan Curcio, Easton.
Mrs. Ann M. Stoisits, Northampton.

PHILADELPHIA COUNTY

Mrs. Rose C. Fishman, 4802 N. Broad St. (41).
Arnold Peter Minicozzi, 2535 S. 18th St (45).
Miss T. Lois Moss, 14 S. 52d St. (39).
Philip Ruppel, 204 N. 60th St. (39).
Mrs. Miriam S. Sharp, 145 N. 15th St. (2).
David J. Whalen, 6500 Chester Ave. (42).

SCHUYLKILL COUNTY

Frank S. Dimon, Tremont.
Paul W. Wise, Pottsville.

WESTMORELAND COUNTY

Murrell R. Thompson, Unity Twp., Latrobe.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert B. Park, Sr., 108 Fourth Street, Fayette City, Fayette County, for appointment as Justice of the Peace in and for the Borough of Fayette City, Fayette County, until the first Monday of January 1956, vice Wilbur B. Evans, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George G. Jeffries, 14 East Sixth Street, Media, Delaware County, for appointment as Justice of the Peace in and for the Borough of Media, Delaware County, until the first Monday 1956, vice Fred T. Cooper, deceased.

JOHN S. FINE.

MEMBER OF McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George M. Fleming (Republican), Maple Street, Port Allegheny, McKean County, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice R. C. Wilber, Port Allegany, resigned.

JOHN S. FINE.

MEMBER OF MONROE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeanette Davis (Republican), 39 North Courtland Street, East Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Evangeline Henry, East Stroudsburg, resigned.

JOHN S. FINE.

MEMBER OF CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles W. Llewellyn (Republican), 30 West Holland Street, Summit Hill, Carbon County, for appointment as a member of the Carbon County Board of Assistance, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Fred T. Crawford, Summit Hill, deceased.

JOHN S. FINE.

MEMBER OF MIFFLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David M. Barron, Esq., (Republican), 123 Market Street, Lewistown, Mifflin County, for appointment as a member of Mifflin County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Henry A. Riddle, Jr., Lewistown, resigned.

JOHN S. FINE.

MEMBER OF BUCKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eleanore K. Lear (Republican), 192 East Court Street, Doylestown, Bucks County, for appointment as a member of the Bucks County Board of Assistance, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Rev. Charles F. Freeman, Doylestown, resigned.

JOHN S. FINE.

MEMBER OF STATE BOARD OF PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas M. Hyndman, Sr., Esq., 1010 Fidelity-Philadelphia Trust Building, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Public Assistance, until the third Tuesday of January 1958, and until his successor shall be appointed and qualified, to fill a vacancy.

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

Messrs. FREED and DENT read in place and presented to the Chair Senate Bill No. 697, entitled:

An Act to amend Section 493 of the act, approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by requiring the minimum prices of malt or brewed beverages to be filed with the Pennsylvania Liquor Control Board by manufacturers of malt or brewed beverages manufactured in Pennsylvania, requiring the minimum prices of malt or brewed beverages manufactured outside Pennsylvania to be filed with the Pennsylvania Liquor Control Board by certain importing distributors, making unlawful the purchase or sale of malt or brewed beverages unless the minimum prices therefor are so filed, and authorizing the Pennsylvania Liquor Control Board to adopt regulations for orderly marketing of malt or brewed beverages and regulations for the prevention of unfair and discriminatory marketing practices thereof.

Which was committed to the Committee on Law and Order.

Mr. McCUSKER read in his place and presented to the Chair Senate Bill No. 698, entitled:

An Act to further amend Section 1020 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of

this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further restricting parking.

Which was committed to the Committee on Highways.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 699, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by increasing payments for funeral expenses.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 700, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by increasing payments for funeral expenses.

Which was committed to the Committee on Labor and Industry.

Messrs. WOOD and DENT read in place and presented to the Chair Senate Bill No. 701, entitled:

An Act to repeal Section 21 of the act, approved the fourteenth day of April, one thousand eight hundred sixty-eight (P. L. 1083), entitled "A supplement to an act, entitled 'An Act appropriating ground for public purposes in the City of Philadelphia,' approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven," in so far as it prohibits the sale of intoxicating liquors within Fairmount Park.

Which was committed to the Committee on Law and Order.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 702, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Gnaden Huetten Memorial Hospital, at Lehighton.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 703, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Wayne County Memorial Hospital, at Honesdale.

Which was committed to the Committee on Appropriations.

Mr. KOPRIVER, JR., read in his place and presented to the Chair Senate Bill No. 704, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing provisions concerning notice to owners of property in regard to assessments.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 705, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the procedure for adoption of zoning ordinances and amendments thereto.

Which was committed to the Committee on Local Government.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 706, entitled:

An Act to provide State scholarships for the medical education of a limited number of persons, providing for competitive examination of applicants; fixing the qualifications of applicants; requiring medical students so subsidized to agree to serve in State institutions for a specified number of years; conferring powers and imposing duties upon the Governor, the Secretary of Welfare, the Department of Public Instruction and State-aided medical schools and making an appropriation.

Which was committed to the Committee on Education.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 707, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by extending a route in Westmoreland County.

Which was committed to the Committee on Highways.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 708, entitled:

An Act to amend section twelve hundred seven, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers

Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the duties and jurisdiction of the Board of Property to cases involving the title of land or interest therein brought by persons who claim an interest in the title to lands occupied or claimed by the Commonwealth.

Which was committed to the Committee on State Government.

PETITIONS AND REMONSTRANCES

Mr. DENT. Mr. President and Members of the Senate, usually at this stage of a Session rumors start to fly thicker than snow at Christmas time. It is always difficult for a man trying to work out a solution to a vexing problem to have these rumors crop up in such a way that they become embarrassing to all of the Members of the Senate. There has been a great deal of conjecture, on the part of some of the newspaper reporters, as to just what happened yesterday, the day before and the day before yesterday, and what will happen tomorrow, the day after tomorrow and the day after the day after tomorrow.

Mr. President, in order that all of us have an understanding as to the position in which we, the Democratic Minority, find ourselves at the present and are dedicated to keep, I would like to announce at this time that we, in the Senate Minority Caucus, realize that so far as we are concerned we have no tax program before us. However, all of us are cognizant of our duty to the peoples of this Commonwealth, and have been aware of that duty for many long years. We all know that in the final analysis the question of raising revenue is one that must be resolved.

Mr. President, yesterday, the Republican State Chairman issued an invitation to the Democratic leadership to attend a conference on this problem. The Democratic State Chairman has replied that he is willing at any time to meet with the Republican Chairman to decide upon procedure and whatever program they may be able to arrive at. I can assure the Republican Chairman that if the Democratic Chairman works out with him, or any group that may be selected, a solution to this problem, that the Democratic Members of the General Assembly will give all their efforts toward an early completion of this Legislative Session.

Mr. President, it is, however, good to remind the Senate at this time that early in this Session, just as we did two years ago, early in that fateful Session, we offered our cooperation to try to work out a solution. I am very much afraid that the pattern is becoming somewhat set along the same lines as that pattern of two years ago. We find ourselves beset with these rumors that create false hopes in some of the Members that, perhaps, they can revive a dead horse and put it to plow in the field again.

Mr. President, so far as we, the Minority, are concerned, there has been no change of our position in regard to the sales tax bill. I speak with the authority of the Caucus and with the authority of the Democratic leadership in the House. To those serious Members of the Republican Party intent upon seeking a solution to this position in which we find ourselves, I state to them and to all the public of Pennsylvania that we, the Democrats, do not intend at this time, during this Session of the Legislature, to give any votes toward the passage of a State sales tax in this Commonwealth.

Now, starting from there, Mr. President, I would like to remind the Members of the Senate of some words that were spoken years ago by Edmund Burke in which he said "'All government, indeed every human benefit and enjoyment, every virtue and every prudent act, is founded on compromise and barter.' Horse-trading is a Yankee tradition. Bargaining is of the essence of the ancient and once honorable science of negotiation, which many Americans now view with contempt and suspicion."

Mr. President, in any kind of a legislative body, there comes a time when there must be negotiation and there must be some kind of compromise. I do not know whether staying here six months longer or another year would tend to reduce the pressure under which we now find ourselves. I am sure that we, in the Minority, have always known that sooner or later there must be an admission, that help must be granted in order to pass whatever revenues are needed in order that the services of this Commonwealth be not jeopardized.

Mr. President, I find on our side of the Senate a willing attitude towards such a position. I do not know that we have before us any kind of a substantial program other than that which we have read about somewhat in the newspapers, other than that which has been submitted in a negative way by the Governor and in a negative way by the leadership in the House of Representatives on the Republican side.

Mr. President, all of us realize that this job, which we now enjoy as representatives of the people, pays the magnificent sum of approximately $1,500 a year, which is hardly a living wage. I know that many of the Members of the Senate are not dependent upon their ability to earn an income for their families when they are away from here and, perhaps, are in such a position in a business way that it does not become a hardship upon them. However, from firsthand knowledge, I know that there are some Members of the Senate who must, of a necessity, spend some time at home in order that their families may live somewhere near the standard set by our modern civilization in this Country. Also, many Members of the House are forced by the necessity of need to get back to their own bailiwicks in order that they may earn a living.

Mr. President, I, therefore, believe that for the benefit of all concerned we should quit all of this false thinking, and quit raising false hopes that you can revive the dead horse called the sales tax and put it back to work in the fields again. It is as dead as the income tax, if it is dependent upon Democratic votes. I think I said that many times in 1951, but it took twelve months to convince us. We do not want to stay here twelve months.

Mr. President, I believe that the Minority Leader in the House placed the position very well today when he said that the minute the Republican Majority comes up

with a program to meet the so-called need—as I understand it to be approximately $120,000,000—and can establish forthwith a total number of votes that they are able to cast for any particular set of bills, then they would be willing to see if their Caucus can provide the additional votes. Until you come to that stage, the negotiations will be as they have been in the past, a lot of newspaper talk and a lot of wind passed through the windows of the Senate and House.

Mr. President, if we are serious and we want to get down to business, I believe there is a common ground upon which we can meet. That ground will contain upon it the needs of the Commonwealth, the needs of the schools, the needs of the Department of Welfare, the needs of the Department of Highways and the various other governmental functioning departments here on the Hill. When we have established that by presenting to this Senate and to the House an appropriation setup which gives us somewhere near the total amount needed, then we can establish the amount of revenue which is required and may, perhaps, be able to proceed from there. If we do this and work at it diligently, with some degree of honor amongst us, without the hope of taking undue advantage, both individually and politically as parties, then, perhaps, by the 15th of July there ought to be a sine die resolution possible.

Mr. President, unless we do that, I can suggest to the Senate that we ought to at least quit for three or four months, and go home and have a breather and come back. If we are not willing to accept the facts as they are, and recognize the needs as they are, and recognize the need for cooperation and a common ground to meet upon, then the best thing to do is to recess for a period and come back after we have cooled off. I know that the extreme heat of Harrisburg is not adding anything to the solution of the problem. I am sure all of you agree with me that it is a problem which must be solved.

Mr. President, I do not want to go back into history and try to place the blame for where we find ourselves upon any individual's shoulders. Collectively, perhaps, it can be spread out over more than one set of shoulders. You cannot continually be passing legislation creating debts into the future without at least making provisions for the payment of the interest on the debt and at least some part of the principal. That has been wrong. That has been the fault that we find which has caused our downfall in this and the 1951 Session, and I dare say that unless we do something drastic, perhaps it will haunt us in the future Sessions to come.

Mr. President, I have always maintained that sooner or later there will be a broad base tax. However, no broad base tax should ever be passed in Pennsylvania until there has been time to have a Constitutional Convention in order that there can be placed upon any broad base tax a limitation above which this or any other General Assembly cannot go without first passing a referendum to the people of this Commonwealth. We must not at this time set up an unlimited revenue possibility in Pennsylvania, because all of us know that each day, as the days go by, there will come greater and greater demands upon central government for more and more services to be rendered to more and more groups of persons and to local governments.

Mr. President, if we continue to grant these wishes, we are always going to be adding and adding more central taxes. Until we decide once and for all that there is a limit to what the State can do in the way of local help or individual help or charitable help, then we must limit the amount of revenue that any one particular measure can be charged for in our scheme of things. I think that eventually we will have that.

Mr. President, I was sorry to see the statement by the Majority Leader that, in his belief, the Constitutional Convention bill was dead. I was hopeful that we would be able to work out, by compromise and by negotiation, the possibility of a Constitutional Convention in order that at that convention some of the wiser and cooler heads in Pennsylvania could get together and perhaps give us a pattern for the future Members of the General Assembly to work upon.

Mr. President, I think that the time has come when we should quit stalling with the problem and quit hiding our heads in the sand, like the proverbial ostrich, and refuse to look facts in the face. The facts are that we are rendering services which were never contemplated when the Constitution was written in 1873. That being the fact, then we find that the Constitution, itself, with its limited possibilities for revenue, has constricted this General Assembly's ability to raise money to meet the added services.

Therefore, Mr. President and Members of the Senate, I want to repeat, for all to know, that so far as we are concerned as a group, and I speak also as an individual, the Democrats do not intend nor expect to give any votes for the sales tax and, therefore, we find ourselves in the position we were in January. We are willing to cooperate; we are willing to negotiate in any agreement that will give to Pennsylvania some sort of an equitable tax schedule under the present trying conditions.

Mr. MAHANY. Mr. President, I do not know what article Senator Dent read, but if it said that I said the Constitutional Convention bill was dead, it was in error. What I did say was that the bill, House Bill No. 1, as we passed it in the Senate and which I voted for, is all that we could get passed in the Senate. That bill, as amended by the Senate, is now before the House, lying on the table waiting for them to either concur or nonconcur in the amendments placed in it by the Senate.

Mr. President, history has shown us that the only way in which a Constitutional Convention has been held was in the manner in which we are doing it by this bill. That is, you put it up to the people in the form of a referendum as to whether or not they want a Constitutional Convention. If they answer that in the affirmative, saying that they do, then we set up the machinery for the convention. We debated that at length when the bill was before us and we are not going to go back into that again, but that is the way in which we obtained our present Constitution. We feel that by doing this in this manner, we are assuring the people that they will have a Constitutional Convention if they want one.

Mr. President, it was tried before, I think in the 1930's, to have on the ballot the question of whether or not the people wanted a Constitutional Convention, and also, at the same time, have candidates running for a Convention which was never held because the people voted it down. That procedure failed not many years ago,

and why anyone would want us to try the same procedure now is more than I can understand.

Mr. President, I hope that the House will concur in the Senate amendments, and that the referendum will be submitted to the people this year and that they will say they want a Constitutional Convention.

Mr. President, I do not often tell how I vote, but I am going to vote "aye" on the Constitutional Convention, if I am allowed to at the polls next November by having that question before me.

Mr. President, regarding the other thing which Senator Dent referred to, their proposition that they will be glad to sit down with us and try to work out an agreeable tax program, I wish to state, for my part, Senator Dent, I am willing at any time to sit down with you or anyone else to try to work out the solution. If we can do it and get out of here, then I think that we will have done a good job.

Mr. President, I do not like to go into these long recesses. Senator Dent has suggested that if we cannot do it next week or the week after, we take another recess. We tried that in 1951. We recessed month after month, and we did not get out of here until just a little bit before Christmas. I am afraid that if we do the same thing this year, we will have another repeat performance and we will have another Christmas Holiday in the Capitol. I think we should stay right at the job here, week after week, even during the summer months, and try and get this thing worked out so that we can adjourn finally within the near future.

Mr. YOSKO. Mr. President, I listened to the statements of both the distinguished Minority Leader and Majority Leader. I also read some statements in the newspapers over the week end.

Mr. President, in so far as the tax program is concerned, I am reminded of an offer of assistance which was made by Senator Dent about three weeks ago. When Senator Dent finished his remarks, the distinguished Majority Leader took the floor and he said that the—or words to this effect—burden of enacting a tax program was upon the Republican Majority, and they would assume that burden without the assistance of the Democrats and if it was the wrong kind of a tax program, the onus would be on the Majority and not the Minority.

Now, Mr. President, over the week end Senator Taylor apparently repudiated the sentiments of the distinguished Majority Leader, because, if the statements I read ir the paper are correct, he said that Democratic help was needed to enact a tax program. I do not know whether Senator Taylor was talking as the Republican State Chairman, as the President pro tempore of the Senate, just in his capacity as a State Senator or in all three capacities. In my opinion, at least, it was a repudiation of the attitude and the sentiments of the distinguished Majority Leader.

Mr. President, if that is true, I think the Majority Leader should make his position clear once again. If he has changed his mind on assistance from the Minority, he should so state.

It seems to me in politics, Mr. President, the old saying is that a party or any group has to have leaders and it has to have followers. From the actions of the Majority since January 6, up until the present time, it seems to me that the Majority is lacking in both leaders and followers, because they have not been able to come up with the type of leadership and program and result that leadership, with followers attached to the leadership, should be able to perform.

Mr. President, it seems to me that they should get together and decide on who is the leader, get a definite program together and develop the courage to present it and enact it into law, so that we can wind up the affairs of this Legislature.

Mr. MAHANY. Mr. President, what I said at that former meeting of the Senate, relative to our responsibility concerning taxes, was certainly not to be interpreted to mean that we would not welcome Democratic votes for any tax program. What I meant to say, and I believe I did say, and I believe everybody understood it except, perhaps, Senator Yosko, was that the responsibility of the tax program was on the Majority Party.

Mr. President, for instance, all of the taxes that we have which have been passed by the Majority Party, it was our responsibility and we do not shirk that responsibility. However, we do welcome Democratic votes for any taxes on which they decide to vote.

Mr. President, I am not speaking for Senator Taylor, he can speak for himself, but I do not believe that Senator Taylor meant to repudiate anything I said by any statement which he made. I feel that we all feel it is our responsibility for a tax program. We do need Democratic votes for some of these measures, and we will be glad to have them and we will be glad to sit down with them and discuss taxes with them at any time. That is what I meant to say, Senator Yosko, and that is the way in which I would like to have it interpreted.

Mr. President, as far as leadership is concerned, I believe all of us can always feel that as long as I am up here as Majority Floor Leader, I do represent my Republican Caucus. At any time that I do not represent that Republican Caucus as their leader, then I shall certainly be glad to tender my resignation as Majority Floor Leader. Until such time as that, however, I believe I can safely say that I represent the Republican Caucus.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 347, entitled:

An Act to further amend Section 1402 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire, burglary, larceny, theft, robbery, forgery or fraud.

House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund and service requirements on the State debt.

House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An

act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties

House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act appoved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

House Bill No. 953, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "First Class Township Law," by changing the provisions thereof relating to public parks, playgrounds and other recreation places and facilities, and park and recreation boards.

House Bill No. 1003, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

House Bill No. 1007, entitled:

An Act to amend Section 2 of the act, approved the nineteenth day of May, one thousand eight hundred eighty-seven (P. L. 138), entitled "An act providing for payment of costs in criminal cases by the proper county," by allowing the district attorneys of the several counties necessary expenses, in cases appealed to any appellate court of this Commonwealth or of the United States.

House Bill No. 1101, entitled:

An Act providing for the administration of a State wide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto.

House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

House Bill No. 1257, entitled:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties.

House Bill No. 1282, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 2106) entitled "First Class Township Law," by requiring corporate surety on certain bonds.

House Bill No. 1283, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103) entitled "The Second Class Township Law," by requiring corporate surety on certain bonds.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

BILL RE-REFERRED

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Labor and Industry, reported as committed House Bill No. 664, entitled:

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

Which was re-referred to the Committee on Public Health and Welfare.

BILL INTRODUCED AND REFERRED

Mr. PECHAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PECHAN and PEELOR read in place and presented to the Chair Senate Bill No. 709, entitled:

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth, certain real estate adjoining Indiana State Teachers' College in the Borough of Indiana, Indiana County, Pennsylvania.

Which was committed to the Committee on State Govenment.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 24, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 29, 1953 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, June 29, 1953 at three-thirty o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTION No. 126 TAKEN FROM TABLE

Mr. LETZLER. Mr. President, at this time I call from the table Senate Concurrent Resolution No. 126.

The Clerk read the resolution as follows:

MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND TRADE LEGISLATION

In the Senate, April 15, 1953.

Whereas, The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability;

Whereas, The lower wages paid abroad make it impossible for many of our own smaller and medium-sized producers to compete with imports without resorting to ruinous price-cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment;

Whereas, Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent;

Whereas, Pressure that comes from imports of residual fuel oil, having risen from an average of fifty million barrels in the 1946-1948 period to more than one hundred twenty-five million in 1952, or the equivalent of thirty-one million tons of coal; from imports of pottery, watches and parts, glassware, lace, carpets and other textiles, hats and millinery, chemicals, scientific aparatus, cutlery, dairy products, wall paper, luggage and leather goods, and many other articles, will render the upholding of the economy at its high levels most uncertain and difficult, unless all import trade is placed on a fair competitive basis and the potential injury therefrom this contained; and

Whereas, A maximum of such trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (if the House of Representatives concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation against the destruction or lowering of our American standard of living, the labor standards of our workmen, and the stability of our economy by unfair, import competition and that existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

SENATE CONCURRENT RESOLUTION No. 126 ADOPTED

Mr. LETZLER. Mr. President, I move that the Senate adopt the resolution just read.

Mr. PEELOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I think we are going quite far afield when we get into the international situation on tariffs, etc., when we cannot solve our own problems here.

Mr. President, this is a matter which has been debated in our Halls of of Congress, and the bill is being debated now. I think it has passed the House of Representatives and is now in the Senate. I think it would be well if we tend to our own knitting here and if there is going to be a vote on this, I want to be recorded as voting "no."

The PRESIDENT. Does the gentleman from Allegheny request a roll call?

Mr. BARR. Mr. President, you can show it in the Journal if you want. I want to be recorded as voting "no."

The PRESIDENT. In order for the Senator to be recorded, there will have to be a roll call.

Mr. McGINNIS. I ask for a roll call, Mr. President.

Mr. LEADER. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. HOLLAND. Mr. President, I think it is a very unfair resolution to ask the Members of the Senate to vote on a matter which has taken months of debate in the hearings in Congress. We have elected Congressmen to represent this State in Congress. I do not think it is fair for us now to dictate to the Members of our Congress and tell them how we think they should vote. If we want to tell them how they should vote, we should vote for the Congressman in our district, and not send them a resolution.

Mr. President, there is not any of us here who knows this problem thoroughly. We have received a lot of propaganda for high tariffs and against high tariffs. Therefore, we are not properly informed on how to vote.

MOTION TO RECOMMIT RESOLUTION

Mr. HOLLAND Mr. President, in view of that fact, I move that this resolution be referred back to committee for further consideration and study and, if possible, a public hearing.

The PRESIDENT. The Chair regrets to advise the Senator from Allegheny that his motion is out of order. A roll call has been requested. The only thing before the Senate is the calling of the roll.

Mr. HOLLAND. Mr. President, the roll call has not been started. Therefore, the motion to recommit prevails.

The PRESIDENT. The Chair is granting the latitude to the Senator to debate the question, but certainly he is out of order in offering a motion at a time when the Clerk is ready to call the roll and had started to do so.

Mr. HOLLAND. Mr. President, the roll call was not started.

The PRESIDENT. The Chair recalls that recently we had the same discussion when the shoe was on the other foot. Does the Senator remember?

Mr. HOLLAND. Mr. President, I have heard you raise the same question when you were a Member of the House.

The PRESIDENT. The Chair rules that the roll call has started, and the gentleman is out of order.

The yeas and nays were required by Mr. McGINNIS and Mr. LEADER,
and were as follows, viz:

YEAS—35

Bane,	Haluska,	Mahany,	Wade,
Berger,	Hare,	Mallery,	Wagner,
Chapman,	Harney,	McCusker,	Walker,
Crowe,	Kephart,	Pechan,	Watkins,
Dent,	Kessler,	Peelor,	Watson,
Diehm,	Kopriver, Jr.	Propert,	Weiner,
DiSilvestro,	Lane,	Snowden,	Wolfe,
Fleming,	Letzler,	Stevenson,	Yosko,
Freed,	Madigan,	Taylor,	

NAYS—7

Barr,	Holland,	McGinnis,	Stiefel,
Camiel,	Leader,	Ruth,	

So the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The Clerk read the nominations as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert B. Park, Sr., 108 Fourth Street, Fayette City, Fayette County, for appointment as Justice of the Peace in and for the Borough of Fayette City, Fayette County, until the first Monday of January 1956, vice Wilbur B. Evans, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George G. Jeffries, 14 East Sixth Street, Media, Delaware County, for appointment as Justice of the Peace in and for the Borough of Media, Delaware County, until the first Monday of January 1956, vice Fred T. Cooper, deceased.

JOHN S. FINE.

MEMBER OF McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George M. Fleming (Republican), Maple Street, Port Allegany, McKean County, for appointment as a member of the McKean County Board of Asisstance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice R. C. Wilber, Port Allegany, resigned.

JOHN S. FINE.

MEMBER OF MONROE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeanette Davis (Republican), 39 North Courtland Street, East Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Mrs. Evangeline Henry, East Stroudsburg, resigned.

JOHN S. FINE.

MEMBER OF CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles W. Llewellyn (Republican), 30 West Holland Street, Summit Hill, Carbon County, for appointment as a member of the Carbon County Board of Assistance, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Fred T. Crawford, Summit Hill, deceased.

JOHN S. FINE.

MEMBER OF MIFFLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David M. Barron, Esq. (Republican), 123 Market Street, Lewistown, Mifflin County, for appointment as a member of the Mifflin County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Henry A. Riddle, Jr., Lewistown, resigned.

JOHN S. FINE.

MEMBER OF BUCKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eleanore K. Lear (Republican), 192 East Court Street, Doylestown, Bucks County, for appointment as a member of the Bucks County Board of Assistance, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Rev. Charles F. Freeman, Doylestown, resigned.

JOHN S. FINE.

MEMBER OF STATE BOARD OF PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas M. Hyndman, Sr., Esq., 1010 Fidelity-Philadelphia Trust Building, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Public Assistance, until the third Tuesday of January 1958, and until his successor shall be appointed and qualified, to fill a vacancy.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McGinnis,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 163, as follows:

An Act to further amend the last paragraph of section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by electric cooperative corporations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 1941) is hereby further amended to read as follows

Section 507 Purchases

* * * * *

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for utility service furnished by public utility companies political subdivisions and authorities or if services shall not be available from any of these sources then for utility services furnished by electric cooperative corporations

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 163

Mr. MAHANY. Mr. President, I move that the Senate

do non-concur in the amendments made by the House to Senate Bill No. 163.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 557, as follows:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain [appropriations made to the Department of Forests and Waters Department of Health Department of Labor and Industry Department of Public Instruction Department of State Department of Welfare and the Judicial Department by the act to which this is a supplement are hereby specifically appropriated to the department as follows]

I Executive Department

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deck hands watchmen laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of partol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of twenty-three thousand dollars ($23,000)

To the Department of Health

For the payment of the deficiency in the appropriation for the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of three million four hundred thirty-three thousand eight hundred twenty-three dollars ($3,433,823)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and livestock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of one hundred thousand dollars ($100,000)

To the Department of Labor and Industry

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board Deputy Secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of ninety-nine thousand dollars ($99,000) for the payment of the deficiency in the appropriation for the payment of salaries wages and other expenses for the administration of Social Security Administration Fund the sum of six thousand dollars ($6,000)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of nineteen thousand dollars ($19,000)

For the payment of the deficiency in the appropriation for the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of School of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of one hundred sixty-four thousand seven hundred ninety-nine dollars ($164,799)

For the payment of the deficiency in the appropriation for the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of four thousand dollars ($4,000)

For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement

Fund to the credit of the contingent reserve account of the School Employes' Retirement Fund as required by law the sum of five million one hundred eleven thousand eighty-six dollars ($5,111,086)

For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as required by law the sum of one million seven hundred forty-seven thousand seven hundred nineteen dollars ($1,747,719)

To the Department of State

For the payment of the deficiency in the appropriation for the payment into the State Employes' Retirement Fund to the credit of the contingent reserves account the sum of one hundred sixty thousand dollars ($160,000)

To the Department of Welfare

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of one hundred twenty thousand dollars ($120,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of four hundred thousand dollars ($400,000)

II Judicial Department

Supreme Court

For the payment of the deficiency in the appropriation for the payment of the salaries of the Supreme Court Judges the sum of three hundred eighty-one dollars seventy-nine cents ($381.79)

For the payment of the deficiency in the appropriation for the payment of the salary and expenses of the criers tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western Districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one thousand two hundred fifty dollars ($1250)

For the payment of the deficiency in the appropriation for the payment of the fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western Districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred nineteen the sum of one thousand five hundred dollars ($1500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

Court of Common Pleas

For the payment of the deficiency in the appropriation for the payment of the salaries of the judges of the Courts of Common Pleas learned in the law in the several judicial districts of the Commonwealth the sum of seventy-one thousand dollars ($71,000)

Orphans' Court

For the payment of the deficiency in the appropriation for the payment of the salaries of the Orphans' Court Judges in the several judicial districts in which separate Orphans' Courts have been established by law the sum of one thousand seven hundred dollars ($1700)

County Court of Allegheny County

For the payemnt of the deficiency in the appropriation for the payment of the salaries of the judges of the county court for County of Allegheny the sum of four hundred dollars ($400)

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 557

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 557.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 290 TAKEN FROM TABLE

Mr. HALUSKA. Mr. President, I call from the table Senate Bill No. 290, Printer's No. 255, which failed of passage on final passage in the Senate on June 9, 1953.

RECONSIDERATION OF SENATE BILL No. 290

Mr. HALUSKA. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 290, entitled:

An Act providing for and regulating the licensing and practice of practical nursing, and imposing penalties.

failed of passage on final passage.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the prevailing side.

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 255, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281, Printer's No. 336, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring powers and imposing duties on county boards of school directors providing for classes and schools for handicapped and for the payment for the cost of operation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 901 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1159) is hereby further amended to read as follows

Section 901 Annual Conventions and Special Meetings The school directors in every county having a county superintendent of public schools shall annually be called together at the county-seat or some other suitable place within the county by the county superintendent of public schools The purpose of such annual conventions shall be the consideration and the discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties and such other business as may properly come before such conventions In addition hereto the county superintendent of public schools may call together the school directors within the county at the county-seat or some other suitable place within the county designated by the county superintendent of public schools when any emergency may exist or when in the opinion of the county superintendent of public schools a special meeting should be called for the consideration and discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools or their interests in their respective districts or counties and such other business as may properly come before said meeting

The convention shall have power at the annual convention or at any special meeting to pass on and approve activities and services and schools and classes for handicapped to be provided administered and supervised by the county board of school directors and to authorize the same by a majority vote of those present

Such action shall not be taken unless the secretary of each school board under the jurisdiction of the county superintendent has been advised at least forty (40) days previous to the convention or meeting at which such action is to be considered

Section 2 Section 925 of said act as last amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1546) is hereby further amended by adding at the end thereof two new clauses to read as follows

Section 925 Powers and Duties The county board of school directors in respect to school districts under the supervision of the county superintendent shall have power and its duty shall be

* * * * *

(16) To estimate and file with the Department of Public Instruction the cost of classes and schools for handicapped whenever such classes and schools are authorized on or before the first day of July of each year

(17) To employ temporary professional and professional employes supervisors and teachers and to employ all other persons necessary to carry on education and training for handicapped children and to determine the salaries to be paid All professional employes so employed shall have the same rights of membership in the Public School Employes' Retirement Association as professional employes of school districts

Section 3 Said act is hereby further amended by adding immediately following Section 2509 thereof a new section to read as follows

Section 2509.1 Payment on Account of Classes and Schools for Handicapped (a) Every county board shall be paid on the first day of August and the first day of January of each school year that classes and schools for handicapped children are conducted in equal installments the amount of estimated costs for the operation thereof Such payments shall be deducted from the reimbursements due the district of residence of each handicapped child attending such classes or schools Reimbursement on account of handicapped children shall be made to the district of residence even though such child attends classes or schools conducted by a county board of school directors

For each child who is blind deaf or afflicted with cerebral palsy attending such classes or school the county board shall be paid by the district of residence the sum of two hundred dollars ($200) and shall be paid by the Commonwealth out of moneys appropriated to the Department of Public Instruction the balance of the cost of education and training of such child which amount shall not exceed seventy-five per cent of the total cost of education of such child who is blind deaf or afflicted by cerebral palsy in a residence school for similar education

(b) Whenever children from districts under the supervision of a district superintendent attends classes or schools for handicapped conducted by a county board the county board shall be paid an amount equal to the charge per pupil made against such district which shall be deducted from the reimbursements due such district

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stevenson,
Barr,	Hare,	McCreesh,	Stiefel,
Berger,	Harney,	McCusker,	Taylor,
Blass,	Holland,	McGinnis,	Toole,
Camiel,	Kephart,	McMenamin,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Ruth,	Weiner,
Fleming,	Madigan,	Silvert,	Wolfe,
Freed,	Mahany,	Snowden,	Yosko,

NAYS—2

Propert,	Wood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third readiny, go over in their order:

Senate Bill No. 590, Printer's No. 315, and

Senate Bill No. 591, Printer's No. 310.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 671, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 4, by striking out line 20

Amend Section 1, page 6, line 1, by striking out at the beginning of the line before the word "Board" the following: "["; Amend Section 1, page 6, line 2, by striking out at the end of the line after the word "Morganza" the following: "]".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that Senate Bill No. 671, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 673, as follows:

An Act to add sections nine hundred eleven nine hundred twelve nine hundred thirteen nine hundred fourteen and nine hundred fifteen to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain powers of the Department of Welfare to the Department of Justice and imposing certain duties upon the Department of Justice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and ad-

ministrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding immediately following section nine hundred ten new sections to read as follows

Section 911 The Department of Justice shall have the power and its duty shall be to supervise and control all State penal and correctional institutions formerly under the control and supervision of the Department of Welfare

Section 912 Bureau of Correction There shall be a Bureau of Correction in the Department of Justice in charge of a Commissioner of Correction appointed by the Attorney General with the approval of the Governor

Section 913 Deputy Commissioner for Treatment The Commissioner of Correction shall appoint one (1) Deputy Commissioner for Treatment who shall be in charge of and responsible for the administration of the Eastern Correctional Diagnostic and Classification Center and the Western Correctional Diagnostic and Classification Center He shall have the sole responsibility for the transfer of persons from said diagnostic and classification centers to State institutions and the transfer of persons from one State institution to another If for any reason he is unable to act or his office is vacated his duty with regard to such ransfers may be performed by the Commissioner of Correction or someone specifically delegated by the Commissoner of Correction

Section 914 Personnel The Commissioner of Correction shall appoint such other deputies wardens superintendents experts professional technical and skilled personnel as may be required for the proper administration of the penal and correctional institutions within the jurisdiction of the Department of Justice

The officers in charge of State penal and correctional institutions with the approval of the Commissioner of Correction shall appoint assign and dismiss the personnel of such institutions

Section 915 Inmate Labor The Bureau of Correction shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the State penal and correctional institutions under the jurisdiction of the Department of Justice as it may deem proper in which industries all persons sentenced to assigned to or transferred to such institutions who are physically capable of such labor may be employed at labor for not to exceed eight (8) hours each day other than Sundays and public holidays Such labor shall be for the purpose of doing printing or of manufacturing and producing supplies or for the preparation and manufacture of building materials for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or for the purpose of industrial training or instruction or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatories or other penal or correctional institutions in the Department of Justice and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To contract to sell or sell the articles manufactured or produced in the said industries carried on in the said penitentiaries reformatories or other penal or correctional institutions which cannot be used therein to the Commonwealth or to any political subdivision thereof or to any State municipality or county authority created by or under any law of this Commonwealth or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth or to the Government of the United States or any department bureau commission authority or agency thereof or to any other State or political subdivision or authority thereof or to any institution receiving aid from the Government of the United States or of any other State

(d) To arrange for the employment of inmates of such institutions at such work or labor within or upon the grounds of such institutions as may be necessary for the maintenance of the institutions or the raising of food products therefor

(e) To charge to each institution such rate per diem as may be paid by the department to such inmate hereunder for his services for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor

Also to collect from each such institution for any manufactured supplies or products used by it the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor All amounts collected by the Department of Justice from such institutions hereunder shall be paid through the Department of Revenue into the Manufacturing Fund in the State Treasury and all such amounts shall be considered a part of such institutions' maintenance expense

(f) To charge to each such institution in like manner for the labor of all inmates engaged in preparing materials for the construction of buildings or in doing construction work such payments to be made by the institutions out of funds available for construction work All moneys received hereunder shall be paid into the Manufacturing Fund through the Department of Revenue

(g) Through the Department of Revenue to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the institution This clause shall not however apply to the sale of surplus food products or products of the soil as elsewhere in this act permitted

(h) To pay out of the Manufacturing Fund all expenses necessary for the proper conduct of the work of the Department of Justice pertaining to the establishment maintenance and carrying on of industries in the State penal and correctional institutions and the rehabilitation of the inmates thereof

Estimates of the amounts to be expended from the Manufacturing Fund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations and it shall be unlawful for the Department of the Auditor General to honor any requisition for expenditures or moneys out of this appropriation in excess of the estimates approved by the Governor Subject to this provision the Department of the Auditor General shall from time to time draw warrants upon the Treasury Department for the amounts specified in such requisitions not exceeding however the amount in the Manufacturing Fund at the time of the making of any such requisitions

(i) To require that an account shall be kept by the proper officers of each said penitentiary reformatory and other correctional institution of the labor performed by inmates In such account shall be shown at the time each inmate is actually engaged in work the rate of wage at which he is to be paid which shall be regulated by the department In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness industry and good conduct of the inmate All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund to be disbursed or held by such institution in the manner following

Three-fourths of the amount of wages payable to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes shall constitute a fund for the relief of any person or persons dependent upon such inmate and shall be paid upon the order of the board of trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such board at such time or times as said board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner Provided however That subject to the rules and regulations of the board of trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the department

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(k) To the extent to which the Bureau of Correction is unable to provide work for every physically able inmate of such institutions to permit inmates to engage in such work or industries as the Bureau may approve and which they are able to provide from other sources but all such work shall be performed the products thereof sold and the proceeds thereof disposed of under the rules and regulations of the Bureau of Correction covering the same

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 912), page 4, line 7, by inserting after "Correction": "who shall be qualified by training and experience to perform and supervise the work of the bureau. He shall be"; Amend Sec. 1 (Sec. 913), page 4, line 11, by inserting after "be": "qualified by training and experience to perform and supervise the work with which he is charged. He shall be."

On the question,

Will the Senate agree to the amendments?

Mr. YOSKO. Mr. President, Senate Bill No. 673, Printer's No. 329, is one of the bills of a package of proposals presented for the reorganization of the penal system in Pennsylvania. This set of bills, I understand, were drafted in accordance with the recommendations made by the special committee appointed by the Governor to investigate conditions in State prisons in Pennsylvania, following the riots at the two branches of the Western State Penitentiary.

Mr. President, this bill, to which I submitted amendments, calls for the establishment of a Bureau of Correction. Section 912 reads: "Bureau of Correction There shall be a Bureau of Correction in the Department of Justice in charge of a Commissioner of Correction appointed by the Attorney General with the approval of the Governor." My amendments add a qualification feature to the person being appointed.

Mr. President, the reorganization of the penal system, in accordance with the recommendations of the committee I named, will cost the Commonwealth thousands, if not millions, of dollars to bring about the desired results. It is, therefore, important if we are to enjoy success in that reorganization to have qualified, competent people at the head of the most vital part of that reorganization, the Bureau of Correction.

I submitted these amendments, Mr. President, because in my opinion, and in the opinion of others, the riots at the two Western State Pentitentiaries resulted from incompetent and irresponsible wardens which they had at these institutions. If the heads of these institutions would have been competent and qualified persons and not political hacks, perhaps the riots could have been averted at a saving of thousands of dollars to the Commonwealth in the form of damages resulting from the riots.

Mr. President, I see nothing wrong and I do not see why anyone should object to amendments calling for the appointment of a person to a very important position by indicating that that person should be qualified in his field by education or experience. This is a specialized field and if it is placed in the hands of a political hack, we certainly will not get the desired results and it will be just a waste of money, the taxpayers' money of this Commonwealth.

Mr. President, I, therefore, ask, in the interest of good government, that every Member of this Senate vote for these amendments.

Mr. MAHANY. Mr. President, I rise to oppose these amendments because certainly I feel that the Attorney General and the Governor would appoint a proper person for this important job.

Mr. President, these amendments do not, however, set up what kind of qualifications the man would have or how much experience. They are very indefinite, and I do not believe that they would serve any useful purpose. I am sure that if the Governor of the Commonwealth would appoint some political hack, who did not know anything about this job, to this position, certainly he would not be very politic because the people would resent it so that he certainly would lose a great number of votes, or his party would, at the polls the next time they sought to be elected.

Mr. President, inasmuch as these amendments are indefinite and they serve no useful purpose, I ask my colleagues to vote "no" on them.

And the question recurring,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. YOSKO. Mr. President, I move that the amendments to Senate Bill No. 673, be adopted.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. YOSKO. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. BLASS. Mr. President, not having heard my name called, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Erie will be so recorded.

Mr. CROWE. Mr. President, not having heard my name called, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Monroe will be so recorded.

Mr. KOPRIVER, JR. Mr. President, not having heard my name called, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were required by Mr. YOSKO and Mr. LANE, and were as follows, viz:

YEAS—14

Bane,	DiSilvestro,	Leader,	Silvert,
Barr,	Haluska,	McGinnis,	Stiefel,
Camiel,	Holland,	Ruth,	Yosko,
Dent,	Lane,		

NAYS—31

Berger,	Harney,	McCusker,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Chapman,	Kessler,	Pechan,	Walker,
Crowe,	Kopriver, Jr.	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Snowden,	Wolfe,
Freed,	Mahany,	Stevenson,	Wood,
Hare,	Mallery,	Taylor,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
DiSilvestro,	Letzler,	Ruth,	Weiner,
Diehm,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 686, as follows:

An Act to further amend clause ten of section three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Comonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belongin to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by designating the Department of Justice for the Department of Welfare

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause ten of section three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby further amended to read as follows

Section 302 Funds

* * * * *

10 Manufacturing Fund All moneys received by the Treasury Department from the Department of Revenue arising from the industries established and maintained by the Department of [Welfare] Justice in State institutions and from the employment of inmates in maintenance activities and from the sale by the Department of Property and Supplies of unserviceable property originally paid for out of the Manufacturing Fund shall be credited to the Manufacturing Fund

* * * * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,

Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 480 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, at this time I would like to call up, from page 8 of today's Third Reading Postponed Calendar, Senate Bill No. 480, Printer's No. 304, for consideration.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 480, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by defining certain terms imposing powers and duties on the Department of Welfare, providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children eliminating certain consent to adoption and further providing for hearings and investigatory powers of the court

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1) page 2, line 6 by removing the brackets before "Be" and after "&c"; Amend Sec. 1 (Sec. 1) page 3 line 19 by striking out "No Religious Institution"; Amend Sec. 1 (Sec. 1) page 4, lines 1 to 9 by striking out all of lines 1 to 8 and "of the county in which such agency or institution is located" in line 9 and inserting in lieu thereof: "Upon application made therefor, the Department of Welfare shall approve each agency or institution which it determines meets the standards of approval promulgated by the department. Whenever the Department of Welfare determines that an agency or institution fails to meet such standards it shall file its disapproval or withdrawal of approval with the court as defined in this act of the county in which such agency or institution is located. Such actions shall not become effective until affirmed by the court."; Amend Sec. 1 (Sec. 1) page 4, line 11 by striking out "Department of Welfare" and inserting in lieu thereof: "agency or institution"; Amend Sec. 1 (Sec. 1) page 7, lines 1 to 5 by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I rise in support of the amendments offered by Senator Walker. At the same time, I would like to clear up, if I can, some misunderstanding about this bill as it now exists.

Mr. President, last Monday, in speaking before the Senate, I said that the erroneous implication has been drawn that certain religious groups among our citizens have requested to be exempted from proper surveillance on the part of the State in the matter of the placement of children for adoption. Somewhere along the line someone has—that is, the newspaper writers have gotten the opinion that the amendments, which were offered by me the week before that, were given to me by some denomination.

Mr. President, that is entirely untrue. These amendments were written by a very capable lawyer on the Republican side and myself, here on the Senate floor, in a few moments' time. Those amendments today, as a result of Senator Walker's amendments, are being eliminated and I wish the Clerk would read the large amendment in order that I might take a minute to explain it.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1), page 2, line 6, by removing the brackets before "Be" and after "&c";

Amend Sec. 1 (Sec. 1), page 3, line 19, by striking out "No Religious Institution";

Amend Sec. 1 (Sec. 1), page 4, lines 1 to 9, by striking out all of lines 1 to 8 and "of the county in which such agency or institution is located" in line 9 and inserting in lieu thereof: "Upon application made therefor, the Department of Welfare shall approve each agency or institution which it determines meets the standards of approval promulgated by the department. Whenever the Department of Welfare determines that an agency or institution fails to meet such standards it shall file its disapproval or withdrawal of approval with the court as defined in this act of the county in which such agency or institution is located. Such actions shall not become effective until affirmed by the court.";

Amend Sec. 1 (Sec. 1), page 4, line 11, by striking out "Department of Welfare" and inserting in lieu thereof: "agency or institution";

Amend Sec. 1 (Sec. 1), page 7, lines 1 to 5, by striking out all of said lines.

Mr. BARR. Mr. President, the large amendment just read by the Clerk does the thing that I have been trying to do for a period of possibly three weeks, since this bill has been on the Calendar.

Mr. President, it simply does this, for the benefit of the Members of the Senate. When this advisory board says that an institution or a child-caring agency, in their opinion, does not meet the standards which they have set forth, the Department of Welfare goes into court and not child-care agency. There they must prove their case.

Mr. President, as the bill read before, it was up to the institution or the child-care agency to take the matter to court. As we know, many of these are charitable organizations and a great number, I would say ninety-five per cent of them, receive no State-aid of any kind, and it would have been a terrific financial burden if they were forced to take these matters into court. As the bill

now stands, with Senator Walker's amendments, it would be up to the Department of Welfare to take these matters to court, and there they shall be decided once and for all.

Mr. President, I ask the gentlemen on this side of the Senate to support these amendments.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 480, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 500, Printer's No. 386, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 573, entitled:

"An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled 'An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws' by further defining real estate to be valued and assessed for taxation"

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE. Mr. President, I think that House Bill No. 573, Printer's No. 226, and House Bill No. 574, Printer's No. 221, deal with the same subjects. However, House Bill No. 573 deals with third class counties, while House Bill No. 574 refers to counties from the fourth to the eighth class.

Mr. President, this legislation, in my opinion, is just about as harmless as an atomic bomb, as far as the finances of local governments are concerned. I have before me a number of protests from responsible individuals, and groups and organizations protesting the passage of this legislation. It seems that I must take up the time of the Senate in order to have it brought to the attention of the public just what these bills really do.

Mr. President, it is always customary to interrogate the chairman of the Committee from which the bill was reported, and I would, therefore, like to interrogate the distinguished gentleman from Luzerne, Senator Wood, Chairman of the Finance Committee here in the Senate.

The PRESIDENT. Will the gentleman from Luzerne, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I will, Mr. President.

Mr. LANE. Senator Wood, are you familiar with the subject matter contained in House Bills Nos. 573 and 574, which are before us today on second reading?

Mr. WOOD. I believe I am, Mr. President.

Mr. LANE. Senator Wood, what, in your opinion, is the purpose of this legislation?

Mr. WOOD. Mr. President, I think that the purpose of this legislation is very evident. It is to prohibit the assessment of machinery as real estate in all of the counties of the Commonwealth, with the exception of counties of the first and second class which have already been eliminated by previous acts of the Legislature.

Mr. LANE. Senator Wood, you will notice on page 3, commencing at line number 7, in House Bill No. 573, that the wording of the amendment is as follows:

"Machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not be considered or included as a part of the real estate in determining the value of such mill mine manufactory or industrial establishment."

What is meant by the word "machinery," as set forth in this amendment?

Mr. WOOD. I would say, Mr. President, it means just exactly what it says; the machinery that is in the building or the plant.

Mr. LANE. Well, Mr. President, let us elaborate a little further now. When we talk about machinery which is in the building, would you say that it would pertain to the furnace? Is that a part of the equipment?

Mr. WOOD. Mr. President, I would not say that, generally speaking. If the gentleman means the heating plant, then he is talking about machinery. If he is talking about a blast furnace, that is something else.

Mr. LANE. All right, what is meant by the word "tools," as set forth in this act?

Mr. WOOD. It might be a hammer, Mr. President, or it might be a screw driver. I do not know.

Mr. LANE. Well, Mr. President, I can see that the gentleman is not very well versed on this, but we will go right ahead.

What is meant by the word "appliances," as set forth in this act? I want this in the record.

Mr. WOOD. Mr. President, maybe we should get a copy of Webster's Dictionary up here, and I will read the definitions as they appear in that noted volume.

Mr. LANE. Now I would like you to explain to me, Senator Wood, what is meant by the wording "other equipment," as set forth in the amendment, "other equipment?"

Mr. WOOD. Mr. President, that, I think, would require the gentleman from Washington to say what kind of a plant he is talking about.

Mr. LANE. We are talking about all of the plants which are mentioned in this legislation, in the amendment. We are talking about any mill, mine, manufactory or industrial establishment as set forth in the amendment.

Mr. WOOD. Mr. President, it seems to me that "other

equipment" would be those things that exist around the plant, other than machinery, tools and appliances.

Mr. LANE. Mr. President, let us take a hypothetical case. Let us suppose that a mill has a number of furnaces built in and a part of the structure. Would those furnaces be classified as machinery and not subject to the provisions of this amendment?

Mr. WOOD. Mr. President, I am a very smart fellow and I attempt to answer all kinds of things. We have some very competent lawyers who are Members of the Senate, and I believe that at times they charge rather high fees for their opinions as to what certain words mean. In fairness to myself, I think that the gentleman from Washington should ask one of those distinguished legal Members of this Body for his information. He might be able to get it free, as Senator Walker sometimes supplies it, or he might have to pay a considerable sum of money.

Mr. LANE. I thank the gentleman.

Mr. President, I just wanted to point out to the Membership here in the Senate the vagueness of this legislation, and what we are going to be confronted with in the future if this is passed into law. I did not interrogate Senator Wood for the purpose of attemptingto embarrass him. I just wanted to prove my point, and I am just commencing, that this legislation is going to cause an untold amount of trouble to all our political subdivisions, counties, school districts, boroughs and townships included.

Mr. President, I would like to, if I may, interrogate the Majority Leader.

The PRESIDENT. Will the Majority Leader permit himself to be interrogated?

Mr. MAHANY. Yes, Mr. President, if he does not ask me any free legal questions.

Mr. LANE. Senator Mahany, in all probability you will be called upon to defend this act, if it is passed, when it gets into court.

Mr. President, I want to take another hypothetical case here. In a number of mills, the steel beams, which are a part of the building or the plant, are sometimes used as a support for the heavy cranes that operate back and forth within the mills, and these steel beams also serve a dual purpose both as a part of the structure and used by the cranes to operate.

Would they be assessable or would they be classified as "other equipment," under the provisions of this amendment? In other words, what would happen to those steel beams? Would they be classified as other equipment or machinery and not assessable under the provisions of this act, in your opinion?

Mr. MAHANY. Mr. President, in my opinion, I would think that those would be assessable.

Mr. LANE. Senator Mahany, is it not true that the passage of this legislation will undoubtedly work a hardship, a financial hardship, upon our political subdivisions here in the Commonwealth?

Mr. MAHANY. Mr. President, that would be questionable as to whether it would or not.

Mr. LANE. Senator Mahany, I have before me here a communication from a county of the third class whereby they say that if this legislation is passed, it will reduce their assessed valuations by about twenty-five per cent. If that be the case, you must agree that this county must have the revenue to supplement that twenty-five per cent of assessed valuations which they have lost. Is that not true?

Mr. MAHANY. Mr. President, that would be true. Let us also presume that by reason of getting rid of these taxes, they get a whole lot more factories and they get a lot more people who build houses there. The workers could come in and they could assess their properties.

Mr. LANE. Senator Mahany, we, of the Legislature, during the past years, have passed legislation which mandated responsibilities upon our school districts to pay a portion of the earned increment which all the schoolteachers are entitled to over a period of five years. Is that not true?

Mr. MAHANY. That is true, Mr. President.

Mr. LANE. Now, we will take the school districts in the industrial areas, especially where there is a mill or a mine or a factory. Do you not feel that that particular school district will be confronted with a financial problem?

Mr. MAHANY. Mr. President, I do not know what particular school district the Senator is referring to, but I would say that they would be able to assess these mills and get a pretty good assessment out of them. For years counties and cities have been assessing mills, and they have not always considered every piece of machinery in the building and every tool and railroad car and everything else as part of the real estate, but they have assessed the plant. I feel that even if this legislation were passed, they would continue to be able to get a pretty good assessment out of those mills.

Mr. LANE. Senator Mahany, as a Member of the Bar from your county, you are probably aware of the danger of the wording "other equipment" which is inserted in this amendment. In your opinion, what would "other equipment" mean?

Mr. MAHANY. Well, Mr. President, the city of Erie, for instance, has assessed railroad cars and even diesel locomotives that run around the plant as part of the real estate. Such equipment as that, I think, would come under this provision. After this bill was passed and made law, they could not assess railroad cars and railroad engines and trucks and things like that as part of the real estate.

Mr. LANE. Senator Mahany, correct me if I am wrong, but I think you answered the question a little while ago when I talked to you about the steel beams, which are not in any sense of the word "machinery," and you said that they would be classified as other equipment.

Mr. MAHANY. No, I said that they would be assessed as part of the real estate.

Mr. LANE. I misunderstood you; I beg your pardon.

All right, Senator Mahany, do you believe that this legislation is constitutional legislation?

Mr. MAHANY. I feel that it is, Mr. President.

Mr. LANE. How do you arrive at that decision?

Mr. MAHANY. Mr. President, I think it would be up to the gentleman to show me how he arrived at the decision, which he evidently makes, that it is unconstitutional.

Mr. LANE. Mr. President, I am doing the interrogating right now.

Mr. MAHANY. Mr. President, there is nothing in the Constitution that I know of which prevents us from passing this type of legislation, under our archaic Constitution as you fellows sometimes call it.

Mr. LANE. Senator Mahany, is it not true that a certain lobbyist for the Sun Oil Company is quite active in support of this legislation?

Mr. MAHANY. Mr. President, I think that certainly is an improper question. I do not know who is interested. There are a lot of people interested. I think the Chamber of Commerce of Erie is very much interested in this legislation. They feel that if this legislation is passed, it is for the good of the city of Erie and the Commonwealth generally. They feel that they can get many more factories into Erie. They have had an exodus of factories, plants and corporations from the city. They are certainly feeling a burden up there in making up their tax assessment when they see these businesses leaving their city.

I do not know that anyone is particularly interested in it. I know that there are a lot of people who are interested in it, however.

Mr. LANE. I do not notice the Chamber of Commerce of Erie being down around the Halls of the House and Senate, lobbiyng for this legislation.

Mr. MAHANY. Mr. President, if you would like to see their representative next Monday when we vote on the bill, I will be glad to have him down here.

Mr. LANE. He will probably be here, they have a right to be, but I have not seen him so far.

How would this legislation, Senator Mahany, affect your county in regard to assessed valuations?

Mr. MAHANY. Mr. President, I do not know exactly. It might be that we would get many more plants into the county if we did not have this tax. That remains to be seen, what effect it is going to have.

Mr. LANE. Senator Mahany, does your county assess machinery in a plant, or do they show the machinery as a part of the value of the building?

Mr. MAHANY. Mr. President, I think they show it as a part of the value of the building. In the city of Titusville, we assess the plant, the real estate and the building.

Mr. LANE. You will agree with me that your particular county and your city of Titusville will suffer a decrease in their assessed valuation if this bill is passed. Is that not correct?

Mr. MAHANY. No, Mr. President, I keep saying that we will not. As I say, if we drive industry out of the city by high assessments or unfair assessments, so that they cannot compete with similar industries in other places where they do not have that tax, certainly we are going to drive our industry out of our cities.

Mr. President, that is what is happening up in Erie. The plants will not expand in the city of Erie. They close up their plants within the city and move outside the city boundaries. If they are going to continue to do that, certainly the city of Erie is going to suffer. If we can keep them there, then I think we are going to do something for the city of Erie and these other subdivisions.

Mr. LANE. Senator Mahany, if this would not mean a reduction in your assessments, or the assessed valuations in your particular county and city, then how could you encourage industry to come into your particular county or city?

Mr. MAHANY. Pardon me, I was reading this letter from the Chamber of Commerce of Erie. I did not hear your last question.

Mr. LANE. I say to you, if the passage of this bill would not reduce your assessed valuations in your particular county or city, then how in the world would you encourage industry to come into your particular county or city, because you must offer them something? Your argument is that they would have the advantages of reduced assessments, and then you say that that would not reduce assessments.

Mr. MAHANY. Mr. President, the particular assessment might be reduced, but the total number of assessments might be increased if you got more plants to come to your city.

Mr. LANE. You are predicating your thought on probably the next four or five years; you are hoping that. Is that not true?

Mr. MAHANY. Mr. President, may I read this letter from the Erie Chamber of Commerce? I think this answers your question better than I could answer it. It says: "Dear Senator Blass:

"I am writing you as President of the Erie Chamber of Commerce. We are deeply interested in the industrial future of our city. As you are doubtless aware, for the past several years, in Erie, industrial machinery has been included in the real estate tax base and has, consequently, placed Erie at a great competitive disadvantage in our bidding for new industry. Erie is the only city in Pennsylvania where this taxation situation exists but it could apply to other cities in Pennsylvania if the issue was forced on the assessor as it was in Erie."

Mr. President, that is the first paragraph of that letter.

Mr. LANE. Senator Mahany, did you see this folder put out by Johns-Manville where it says, "One and a half billions of new expenditures in western Pennsylvania spark one of the greatest industrial expansions in the nation"? They mark out your county of Mercer, I believe, and Allegheny County, which now, I understand, assesses machinery and is one of the chief beneficiaries under this setup. My county of Washington is in on it, Beaver is in on it, Butler and Armstrong, so you cannot tell me that you are losing very many corporations or industrial expansions by the levying of a tax on machinery.

I say also, Senator Mahany, that this legislation just does not pertain to the city of Erie. This legislation affects every county in the Commonwealth, with the exception of counties of the second class.

By the way, Senator Mahany, what would you recommend to the political subdivisions? What would you recommend them to do to procure the necessary funds to supplement the money that will lose under the provisions of this act? Do you have any recommendations?

Mr. MAHANY. Now, you predicated the question by saying that they would lose. I keep saying that perhaps they will gain. Temporarily, if they lose on that machinery tax, then I would say that perhaps they should enact some ordinances under Act No. 481 which allows them to tax various instrumentalities and so on, anything which the State does not tax.

Mr. LANE. Senator Mahany, I listened to you read a letter from the Chamber of Commerce of Erie, and now I would like your indulgence while I read to you a letter from the county of Westmoreland, which says: .

"Dear Senator Lane:

"At the meeting today the County Commissioners of Westmoreland County considered the import of proposed House Bills Numbers 573 and 574. A quick calculation

showed that if these bills were passed it would mean a loss to Westmoreland County and each of the constituent municipal governments at approximately twenty-five per cent of the assessed valuation for tax purposes.

"I was directed to write you personally and present the protest of the County Commissioners of Westmoreland County, Pennsylvania, both on behalf of the county and all of said county local governments.

"We do hope these Acts will not be approved by the Senate of Pennsylvania and so wish to state.

"Yours very truly,
"/s/ Robert M. Carson
"Robert M. Carson
"County Solicitor."

If your argument is correct that they are not going to lose anything, I would like to have some bona fide proof, because in my own county of Washington we figured it conservatively, and we do not assess the machinery by plate, and it is going to affect us to the tune of eighteen to twenty per cent of our assessed valuation. They tell me in Beaver County it is going to amount to about twenty-five per cent.

Mr. President, it seems to me that the particular problem of Erie is something which is working a hardship upon every political subdivision in this Commonwealth, especially the school districts which are mandated by law to raise money to pay these school teachers.

By the way, Senator Mahany,(why were counties of the second class eliminated from this bill?

Mr. MAHANY. They were already eliminated, Mr. President.

Mr. LANE. They were amended out. You noticed the amendment there, why?

Mr. MAHANY. Mr. President, I believe the act under which the second class counties operates eliminate them. That is the reason why they were eliminated here.

Mr. LANE. Senator Mahany, can you give me the number of the act under which they operate?

Mr. MAHANY. Under the Second class County Code; they operate under the Second Class County Code.

Mr. LANE. That is under the County Code, but they have a specific act. It is an assessment act and the same act that applies to third class counties, in my opinion.

By the way, Senator Mahany, did you see the communication from the Pennsylvania School Directors Association, signed by Mr. P. O. VanNess, explaining their problem? Did you receive the communication from the Pennsylvania School Directors Association, signed by the President of the Association, a Mr. Carson, in which they plainly state that they are going to be confronted with a very serious financial problem if this legislation is passed? Did you receive that?

Mr. MAHANY. My secretary tells me that we did receive it in the office. However, as yet I have not had an opportunity to read it. I will read it before we vote on this bill.

Since this bill is not on third reading or final passage, it is just on second reading, I wish the Senator would reserve a lot of this debate until such time when the bill is before us to vote on.

Mr. LANE. Senator Mahany, the reason I am bringing this up right now is because I want each and every Member of the Senate to be well acquainted with the facts when they come to vote for it on final passage.

There is one other question I would like to ask you, and then I will close. Let us take for example a brewery. In some breweries, the vats are built in and are a part of the building, the same as the boilers. Would they be classified as other equipment?

Mr. MAHANY. The vats would be, it seems to me, a part of the real estate.

Mr. LANE. How about the boilers?

Mr. MAHANY. The boilers? My co-counsel, Senator Walker, says he thinks they would be and I concur, too.

Mr. LANE. I wish to thank the Majority Leader for his kind indulgence in getting this thing across.

Mr. President, I am disturbed about this legislation. I believe that each and every Member of the Senate has a responsibility to the public, to his political subdivision, and I cannot see why this should be a political measure because, actually, Pennsylvania is a Republican State and there are more officials of the Republican faith than there are Democrats.

Mr. President, it seems to me that if we go off half-cocked on something like this, we are probably going to be confronted with a terrific problem in the next Session of the Legislature, because these political subdivisions will demand, and they must receive, proper assistance in order to operate.

It seems to me, Mr. President, that there might be remote cases where someone might abuse the provisions of the assessment act. I say to you, in all sincerity, that I do not believe that this is the time for us to try to disturb the financial structure of our political subdivisions by passing this ridiculous and simple legislation.

Mr. President, it seems to me that this is the result of some sort of a feud which may exist up in Erie County. I do not know, but I say to you, Mr. President, that the people of Pennsylvania should not be made to bear the burden of a feud which exists up there.

Mr. President, I say, with all sincerity, there is no question in my mind but what each and every political subdivision is going to lose a certain portion of their assessed valuations, and they are going to have to procure the money somewhere, and it is going to have to come from the small home owner. He is going to pay the freight.

Mr. President, I have given this a lot of thought, and do you know what I think, too? Not long ago, we passed legislation which requires a new permanent assessment act for counties from the fourth to the eighth class. It also provides that each and every property shall be assessed, or shall be appraised, as to its actual value. After the act is completed, within a period of five years, the County Commissioners, by resolution, will set a percentage of that actual value which will be assessable for tax purposes.

Mr. President, in my humble opinion, I believe that someone is trying to get away from the provisions of that act. It is going to be applicable to all small home owners. Why should it not be applicable to industry, too? Machinery today is supplementing labor. The machinery today is actually the part of a plant which really produces a profit. I say, Mr. President, they should be reasonably assessed. They should carry their proportionate share.

Mr. President, I received a letter from the school Directors Association where they say this:

"These manufacturing plants bring families into the district which require education for their children.

It seems to me, Mr. President, that the small home owner should not be burdened with the problem of educating all these children. It seems to me that the manufacturing plants, the mines and the mills should bear their proportionate share. Unless we think along those lines, we are heading for trouble.

Mr. President, I have some amendments to offer, but I will try to offer them on third reading if the Majority Leader will not object. I do not think he will.

And the question recurring,

Will the Senate agree to the section?

Mr. DENT. Mr. President, I have a clarifying amendment, one to which I am sure there will be no objection.

Mr. DENT offered the following amendment:

Amend Sec. 1, (Sec. 201), page 3, line 17, by inserting after "CLASS"; "or to counties of the third class".

On the question,

Will the Senate agree to the amendment?

MOTION THAT AMENDMENT BE ADOPTED

Mr. DENT. Mr. President, I move that the amendment be adopted.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I understand there will be a vote on the other side against the amendment, and I am at a loss to know why there would be any opposition to these amendments. All these amendments do is put the third class counties in the same position which second class counties are in. That is all.

Mr. President, why do second class counties have a preferred position in this matter of taxation? Why should second class counties be exempt from the provisions of this act, and third, fourth, fifth, sixth, seventh and eighth are not exempt from the provisions of this act? We, in the third class counties, have not come to you with any problems and asked you to do us a special favor by passing this legislation. I listened very attentively to some of the explanations to the questions asked by my colleague, Senator Lane. I assure you that I was a little more confused than when it first started.

So, Mr. President, I conceived the idea that since no one particularly knew to what extent this legislation would affect county government and since I am very much interested in Westmoreland County, which at the moment is on a vast wave of expansion industrially and domestically, that we would like to be left alone. Therefore, I conceived the idea that we in Westmoreland are entitled to the same consideration of this august body as that to which the people of Allegheny County are entitled. I heard it said here that a heating plant in an industry would not be assessable for taxation purposes. Why should a heating plant in my home be assessable? If you build a shanty, and you live in a shanty and you do not have any heating plant or an inside bathroom, you are only assessed for the shed If you improve that and put an inside bathroom in it, and if put in a heating plant, and electric lights and all of the other refinements which we have become accustomed to, your assessment is raised and you pay for the finer things that you get.

Mr. President, is it not just as logical that if a man builds a garage and puts no equipment in it, he has paid the tax on the bare walls, and the roof and the floor of that garage; but if he puts in the necessary machinery in order to do business in that garage and makes it useful to his purposes, that he ought to pay for the increased refinements that he put into that proposition?

Mr. President, if my county loses twenty-five per cent of its assessed valuation, I can assure you that it will only rest upon the shoulders of the home owners. As Senator Lane pointed out here, when an industry moves into a community, they bring in a great many families that have to be provided for with transportation facilities, educational facilities, communication facilities and sewerage facilities.

Now, Mr. President, the most important argument and the most damning argument given against collectivism in Russia is that the state's health and welfare comes before the people's health and welfare. Some of the damning arguments placed against capitalism over the years by these very communists whom we despise and fight so vigorously, and rightly so, nave been that capitalism makes the dollar sign more important than the individual, and this is the greatest proof of it. You do hestiate to spread the cost and the burden of industries placed in the communities upon the shoulders of the individuals who live in these communities, by taking it off of the dollar sign industry in the community. What good is an industry if it does not provide a good decent living for the people in the community? You cannot provide a good decent living in a community if the industry moves in and demands services far and beyond the ability of the local taxpayers to provide for it.

Mr. President, if this is a punitive bill against a Democratic school board or community, then make it that and put a bill in and do what you want to do. However, do not include Westmoreland County and its fair cities in it. We are not interested in punitive legislation. We are interested in constructive, decent legislation which means the welfare of all of the peoples. What good is a prosperous community with a great, big thriving industry in it, if its people are destitute and penniless because of an overburdensome tax?

Mr. President, if you add twenty-five per cent more to the people's homes in Westmoreland County, you are making their taxes excessive and burdensome. Our Board of County Commissioners are all here today. They are here because it is vitally important to them. They are interested in the peoples of Westmoreland County. We are not complaining out home about our tax problem, and I urge industry, Mr. President, Mr. President. We are breaking ground within a very short time for a new Westinghouse plant, Bell Telephone is moving some of its larger facilities out to Westmoreland and West Penn is moving out to Westmoreland County with some of its facilities that it now has in another county.

Mr. President, I do not believe that you can go out and just bring industry in, no matter what kind of provisions you make for it, if that industry cannot be found. How much industry is there to come into this State? From where are we going to get it? There are other things that have to be taken into consideration when an industry starts to move into a community. It takes into consideration the market, the raw products which are used, the

skilled and unskilled labor in the community. These things are equally and probably more important than the tax problem to many industrial sites. We cannot go competing with each other. I understand that the argument was that Erie was losing some of its industry to the outside townships and to the neighboring townships.

Mr. President and Members of this Senate, with the advent of the automobile and the increased use of the new and modern transportation facilities in this Country, there is a greater and greater exodus of industry and domestic homes out into the communities surrounding an urban center. You cannot stop that if you wipe out all the taxes. They are going out into the areas which will best serve their purposes, regardless of what you do in the matter of taxation. This is a very bad piece of legislation.

Mr. President, I am asking you to pass these amendments to take Westmoreland County out of it. We are perfectly satisfied the way we are. We do not want to be protected by this protective legislation. We do not want to steal the industries from up in Crawford County. We want to do just what we are doing now, growing peacefully and quietly, and expanding as much as our economy will allow us and giving our people the best government that we can for as reasonable at tax as we can.

Mr. President, our industry appears to be and is willing to pay its share. We do not want a healthy industry in Westmoreland County and an unhealthy people. We want, all of us, to pay our share and get along side by side with each other. We are not anxious to give industry any particular breaks to come into Westmoreland County in order to add an increased burden to those who are already there. I do not believe in that type of philosophy. I do not believe that the welfare of the State ever should come before the welfare of the individual.

Mr. President, the basic fundamental strength of this Country is that the individual comes first and that the government serves the individual. The individual does not serve the government. When we lose sight of that philosophy, we have lost sight of everything that has made this Country as big and as good as we are so proud to say it is.

Mr. President, this kind of legislation smells to the high heavens. It is the most disgraceful piece of legislation that I have seen on the statute books, or attempted to be placed on the statute books, in my nineteen years of service in Harrisburg. You admit that it will take a certain percentage of your tax valuation away, and you excuse it by saying that some day in the future we will expand to a point where we will again have the same assessment by covering more industry.

Mr. President, I do not know what the problem is down in my good friend, Senator Watson's district. However, I imagine that it is having some serious problems because of the influx of the many new homes which have moved in there because of the new factories being built there. If he cannot assess those factories at least a reasonable amount of the cost for providing the facilities for modern civilization, education, transportation, communication and so forth, which go with our modern life, how can he hope to give these people as good a place to live in as industry has found it to be a place to work in? These things must be equal.

Mr. President, we ask you now, on behalf of Westmoreland County, to leave us out of it. We thank you for your solicitous attitude toward us, we appreciate that you want to help us, but we do not want help. We are satisfied to do just what we are doing. We only assessed that which we need to carry on our government.

Mr. President, I want to tell you that we are very proud of our government in Westmoreland County. We are very proud of the way in which we run our government in Westmoreland County. We have one of the lowest assessed valuations in the State, we have one of the lowest tax millages in the Commonwealth and the least amount of bonded indebtedness in the Commonwealth. We have run it that way without any fuss or petitions against us.

Mr. President, if you pass this legislation somebody is going to be hurt, and you know who will be hurt, the home owner; the poor little fellow who cannot protest in the halls of Harrisburg, who cannot pay the high priced men down here to pass legislation against somebody else for his benefit.

Mr. President, It is our job, our job as representatives of the people, to stand here and defend the people first. They must come first if this Country of ours is to survive. We are the people's lobby right here on this floor and if we hesitate to stand up and fight for them, then we do not belong in this body. This is the only place that they have an opportunity to have somebody speak for them. We are here to speak for the common taxpayer who has no lobby of his own, who cannot go to any of the nice things that we know about from other persons representing other industries. He must be represented by us, and we are derelict in our duty if we do not recognize our duties to him.

Mr. President, every man in this room knows, because I have talked to many of you privately, that this is punitive; you know that it is a disgraceful piece of legislation and one that you cannot, under any stretch of the imagination, uphold. Yet, because of one city which has a Democratic school board that had the audacity to pass a piece of tax legislation which you forgot to put in under Act No. 481, that damnable piece of legislation which has caused us more trouble than any other act that was ever passed in this Senate, you now want to penalize the whole State of Pennsylvania except Allegheny County.

Mr. Lane, for your information, I will tell you why Allegheny County was left out, because if they included Allegheny County they could not get it out of committee and pass it, so they had to exclude Allegheny County.

Mr. President, there is no sound reason for excluding Allegheny County. Is Allegheny County's industry not entitled to the same breaks that the industries in Westmoreland are going to get according to these bills that are before us? Are you not solicitous about the industry in Philadelphia? Why not take care of them, too, and give them a nice competitive advantage, as you call it? Why worry about us? Philadelphia is out of it, Allegheny is out of it and I honestly say to you that Westmoreland wants out of it, and I heard Senator Lane say that Washington wants out of it.

Mr. President, will somebody tell me who wants in it? Beware of the Greeks bearing gifts, and these are the kind of gifts of which you had better beware. Who are we trying to help in this matter? Who are we trying to

take care of? I will tell you who you are trying to take care of, you are trying to wipe out a so-called Democratic school board. If it will help Westmoreland keep its position which it jealously guards, I will write a letter up to the school board and ask them to resign so that you can put Republicans on it, if that is what you want. Do not penalize the State for a political advantage.

Mr. President, I was sorry to hear the distinguished Floor Leader say that they could go out under Act No. 481 and get this money. Mr. President, if you will note under Act No. 481, the industrial and mining interests took pretty good care to see to it that even under that so-called broad base tax anything act, there is not much you can tax except the people. They fixed that pretty well.

Mr. President, I am reminded of the statement, when I see this type of legislation, made by Mr. Wilson, of General Motors, who deemed that anything that was good for General Motors was good for the United States. Mr. President, I hope it has not come down to the point where we are placing man made machinery in a place of eminence above the man who made it.

And the question recurring,

Will the Senate agree to the motion?

Mr. WOOD. I ask for a roll call, Mr. President.

Mr. MAHANY. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. WOOD and Mr. MAHANY, and were as follows, viz:

YEAS—15

Bane,	Dent,	Leader,	Silvert,
Barr,	Haluska,	McGinnis,	Wagner,
Camiel,	Holland,	Pechan,	Yosko,
Crowe,	Lane,	Ruth,	

NAYS—28

Berger,	Harney,	Mallery,	Taylor,
Blass,	Kephart,	McCusker,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Diehm,	Kopriver, Jr.	Peelor,	Watkins,
Fleming,	Letzler,	Propert,	Watson,
Freed,	Madigan,	Snowden,	Wolfe,
Hare,	Mahany,	Stevenson,	Wood,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. DENT. Mr. President, I noticed that the Allegheny County Members, Republican Members, voted "no" on this amendment. I do not think that they gave us the courtesy that we are giving them, keeping their county out.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. DENT offered the following amendment:

Amend Title, page 2, last line of title, by inserting after "taxation": "in certain counties".

On the question,

Will the Senate agree to the amendment?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 574, entitled:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assitant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 631, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to zoning ordinances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 640, on second reading, entitled:

An Act relating to county planning and the regulation of land subdivisions in counties other than counties of the first class; providing for the creation of planning commissions, prescribing the powers and duties of the planning commissions, political subdivisions, certain public officers and public and quasi-public agencies within the respective counties and imposing penalties.

be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 965, entitled:

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second clas sand amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1271, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring Bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by requiring bonding companies as sureties on bonds of tax collectors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 1301, on second reading, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 215) entitled "An act providing for the creation and incorporation as municipal corporations and for the management and operation of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth and its agencies through the construction of water-works and facilities and/or the acquisition of the property water-works rights and franchises of public and private corporations copartnerships associations and individuals furnishing and supplying water to the public in said districts prescribing the powers and duties of such districts and the officers thereof conferring jurisdiction on courts of common pleas in connection therewith and imposing certain costs and charges preliminarly on counties" by further regulating the appointment or election of the governing board and officers of water supply districts conferring powers and imposing duties upon the legislative bodies of political subdivisions providing for water supply district representatives defining their powers and duties and clarifying provisions relating to costs and charges

be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Thursday, June 25, 1953, at 12:00 o'clock m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:27 o'clock p. m., Eastern Standard Time, until Thursday, June 25, 1953, at 12:00 o'clock m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 24, 1953.

The House met at 12:00 noon EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, who knowest that we are not sufficient to think anything as of ourselves, but all our sufficiency is of Thee. Assist us with Thy grace in all our work for others, direct us in it by Thy wisdom, support us by Thy power, that doing our duty diligently we may bring it to a good end and to the greater glory of Thy holy Name. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, June 8, Tuesday, June 9, Wednesday, June 10, Thursday, June 11 and Monday, June 22, 1953? If not, and without objection, the Journal is approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 481.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by extending the purposes for which certain companies may be incorporated.

Referred to the Committee on Insurance.

SENATE BILL No. 495.

An Act to amend the act approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by conferring on orphans' courts exclusive jurisdiction of all manner of proceedings affecting birth records.

Referred to the Committee on Judiciary.

SENATE BILL No. 505.

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" by the changing of consent thereto.

Referred to the Committee on Judiciary.

SENATE BILL No. 561.

An Act to amend Section 306 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors, estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries. the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by providing for an additional disqualification of persons petitioning for appointment as personal representative.

Referred to the Committee on Judiciary.

SENATE BILL No. 583.

An Act to add Section 1.1 to the act, approved the twenty-six day of September, one thousand nine hundred fifty-one (P. L. 1458), entitled "An act relating to records of governmental departments or agencies or private businesses, institutions, professions or callings; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records," by authorizing prothonotaries to make or accept photostatic or microfilm copies of legal documents.

Referred to the Committee on Judiciary.

SENATE BILL No. 585.

An Act to amend clause (k) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 586.

An Act to amend the title and Section 1 of the act, approved the seventeenth day of April, one thousand nine hundred forty-seven (P. L. 63, No. 29), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereof, if any; to construct buildings and facilities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," by extending the provisions of the act to cities of the second class of this Commonwealth.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

SENATE BILL No. 632.

An Act authorizing minors to open and maintain bank accounts, and fixing the rights and duties of minors, the minors' parents or guardians, and the depository bank with respect thereto.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 634.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties.

Referred to the Committee on Military Affairs.

SENATE BILL No. 636.

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty three (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by further prescribing what taxes or license fees may be refunded or sued for

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 637.

An Act to repeal Section 518 of, and to add a new section 518.1 to the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 639.

An Act requiring insurance companies with the exception of Life Insurance Companies to accept insurance premiums any time after the policy is in force

Referred to the Committee on Insurance.

SENATE BILL No. 659.

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and the parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

Referred to the Committee on Judiciary.

SENATE BILL No. 669.

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or ay organized subdivision thereof."

Referred to the Committee on State Government.

SENATE BILL No. 670.

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

Referred to the Committee on State Government.

SENATE BILL No. 672.

An Act to repeal section six of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by eliminating transfers to the Central State Penitentiary at Rockview.

Referred to the Committee on State Government.

SENATE BILL No. 674.

An Act creating two districts in the Commonwealth for for the administration of the State penal and correctional institutions, and repealing certain acts or parts of acts.

Referred to the Committee on State Government.

SENATE BILL No. 675.

An Act creating certain penal and correctional institutions and boards of trustees; abolishing certain penal institutions; imposing duties upon the Commissioner of Correction of the Department of Justice; and providing for the costs of transportation and maintenance of inmates.

Referred to the Committee on State Government.

SENATE BILL No. 676.

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice, correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiarties, and persons therein or responsible therefor applicable in the case of the said institutions.

Referred to the Committee on State Government.

SENATE BILL No. 677.

An Act to amend the title and section one of the act, approved the twenty-fourth day of March, one thousand nine hundred twenty-one (P. L. 48), entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary, and from the Western Penitentiary to the Eastern Penitentiary, and their imprisonment in the penitentiary to which transferred; imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted; directing that certain notice of such transfer of a convict be given; and making appropriations," by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

Referred to the Committee on State Government.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NO. 38, 42, 156, 292, 670, 779, 970, and 1100.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 38, Printer's No. 199, entitled "An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled 'An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties' by changing the penalties for the illegal possession sale dispensing or giving away of drugs."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 42, Printer's No. 295, entitled "An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled 'An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes' by exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 156, Printer's No. 74, entitled "An Act to further amend clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled 'An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board' by providing that where the Commonwealth assigns to a third party any lien or obligation secured for repayment of public assistance the assignee can collect thereon only the amount he paid to the Commonwealth."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 292, Printer's No. 227, entitled "An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by requiring regular courses of instruction in constitutional law and government in public private and parochial school."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 670, Printer's No. 279, entitled "An Act to prohibit operation of boats having a developed horsepower rating in excess of ten on Canadohta Lake in Crawford County."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 779, Printer's No. 343, entitled "An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled 'An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties' by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure extending time for practice unless licensed and registered providing for licensure of nonresident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 970, Printer's No. 186, entitled "An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by providing salaries for members of zoning board of adjustment."

JOHN S. FINE.

June 19, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1100, Printer's No. 297, entitled "An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such contracts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties."

JOHN S. FINE.

SENATE MESSAGE

TIME OF NEXT MEETING OF SENATE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 16, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns, it reconvene on Wednesday, June 24, 1953 at three o'clock p. m. E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILLS RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 347.

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring City Treasurers to also provide insurance against loss of taxes in the hands of treasurers as a result of fire burglary larceny theft robbery or forgery.

HOUSE BILL No. 1007.

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or to any court of the United States and eliminating ineffective provisions

Said bills having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bills, was reconsidered in the House and the bills amended, in which amendments the Senate has concurred.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 590.

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

HOUSE BILL No. 652.

An Act to further amend Section 1104 of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

HOUSE BILL No. 1003.

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers; prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health, and providing for payments of expenses by townships.

HOUSE BILL No. 1101.

An Act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto.

HOUSE BILL No. 1257.

An Act providing for compliance with Federal Laws and the approval of certain institutions; providing for inspections of such institutions; conferring powers and imposing duties on the Department of Welfare; and imposing penalties.

HOUSE BILL No. 1282.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

HOUSE BILL No. 1283.

An Act to further amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by requiring corporate surety on certain bonds.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 347.

An Act to further amend Section 1402 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire, burglary, larceny, theft, robbery or forgery.

HOUSE BILL No. 590.

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

HOUSE BILL No. 652.

An Act to further amend Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

HOUSE BILL No. 1003.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second clas and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

HOUSE BILL No. 1007.

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or to any court of the United States and eliminating ineffective provisions.

HOUSE BILL No. 1101.

An Act providing for the administration of a state wide system of vital statistic prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto.

HOUSE BILL No. 1257.

An Act providing for compliance with Federal Laws and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties.

Whereas the Federal Government by amendment to the Social Security Act (Public Law 734 81st Congress) has provided that if State plans for old age assistance aid to the blind and aid to the permanently and totally disabled include payments to individuals in private or public institutions State authorities shall be responsible for establishing and maintaining standards for such institutions effective as of the first day of July one thousand nine hundred fifty-three.

HOUSE BILL No. 1282.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by requiring corporate surety on certain bonds.

HOUSE BILL No. 1283.

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION HOSPITAL ASSOCIATION OF PENNSYLVANIA

The SPEAKER laid before the House a Resolution adopted by the Hospital Association of Pennsylvania requesting an additional appropriation over and above that contained in the Governor's Budget for the 1953-1955 biennium.

Referred to the Committee on Appropriations.

JOINT RESOLUTION NO. 57A—WISCONSIN

The SPEAKER laid before the House Joint Resolution No. 57A from the State of Wisconsin memorializing the Congress of the United States to enact legislation providing for the withdrawal of the federal government from the field of gasoline taxes.

Referred to the Committee on Rules.

HOUSE JOINT RESOLUTION NO. 14—CONNECTICUT

The SPEAKER laid before the House, House Joint Resolution No. 14 of the State of Connecticut urging repeal of federal tax on motor fuel.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Bolton for Mr. LAFORE because of illness.
Mr. Kerlin for Mr. KROMER because of illness.
Mr. Moody for Mr. WORLEY because of illness.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Since no bills were acted upon at the Session of the House on Monday, June 22, 1953, the House Calendar for June 22, 1953 will be used for today's Session. It would have been an unnecessary expense to reprint this long calendar to change only the date line.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 466, entitled:

An act fixing the maximum hours of employment for members of the fire and police departments and uniformed officers and men employed as park guards in cities of the first class except in emergency cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act to further amend subsection (e) of Section 628 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by increasing the fees for registration of firearms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 880, entitled:

An Act requiring the district attorney of Philadelphia to devote his entire time to his office; prohibiting his engaging in any other business, profession or occupation, rendering him ineligible to continue to hold his office for violation of the provisions of this act and increasing his compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 960, entitled:

An Act prohibiting the city solicitor of Philadelphia from engaging independent counsel in litigation or other legal work of the city; and prohibiting the payment from city funds therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1204, entitled:

An Act to amend Section 1 of the act approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 131), entitled "An act requiring cities of the second Class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year, except in emergency cases," by further regulating minimum vacation periods.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1218, entitled:

An Act to reenact and further amend Section 220 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the resident fishing license fee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1276, entitled:

An Act to amend Section 12 of the act, approved the second day of June, one thousand eight hundred seventy-one (P. L. 1301), entitled "An act to establish and maintain for the city of Philadelphia, a house of correction, employment and reformation for adults and minors," by authorizing judges or magistrates to discharge inmates whom they have committed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1277, entitled:

An Act to further amend the act approved the fifteenth day of June, one thousand nine hundred thirty-seven pensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of (P. L. 1743), entitled, as amended, "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their com- additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by fixing time for which dockets, books and papers of magistrates' courts shall be kept; establishing a Traffic Court of Philadelphia and prescribing the powers and duties and jurisdiction of said courts and the magistrates assigned thereto; providing for a seal for such court and the costs taxable therein; and repealing certain acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1297, entitled:

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, association, or persons; restricting the exercise of banking powers by any other corporation, asosciation, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing foreign banking institutions to conduct certain business and enforce certain rights in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1330, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act to further amend Section 20 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing fishing in streams, whether stocked with trout or not during closed season.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1390, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forgeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers, and semi-trailers; prescribing additional equipment requirements for certain vehicles; changing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; prescribing and changing penalties; providing for confiscation and sale of vehicles and the divertiture of titles, liens and encumbrances, in default of payment of certain fines, and for

disposition of their loads, and imposing duties upon operators, owners, magistrates and sheriffs; changing the provisions for signs upon restricted highways; and changing the disposition of fines and penalties for violations of restrictions upon such highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1405, entitled:

An Act to amend Section 1 of the act, approved the twelfth day of June, one thousand nine hundred thirteen (P. L. 492) entitled "An act authorizing cities of the first and second class to compensate employees for time lost, while in the employ of the city, as a result of injuries, sickness or disablement of any kind sustained while in the performance of their duties," by excluding firemen in cities of the first class, from the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1416, entitled:

An Act to further amend Section 1 of Article XII of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by conforming the same to existing law; making the city treasurer an elective office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1441, entitled:

An Act to amend section eight hundred twenty decimal point one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon the payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by exempting certain vehicles from the requirement to be so constructed or equipped as to bar road surface substances from being thrown from their rear wheels.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1446, entitled:

An Act requiring cities of the first class to pay portions of their compensation heretofore withheld, to officers and men employed in the police department, fire department and park guards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm pond licenses, regulating the use of such ponds and the terms of such licenses, and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by redefining the term, share certificate, and further providing for the issuance and preservation of share certificates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 259, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 282, entitled:

An Act to further amend Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by limiting the use of tractors of the second class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 326, entitled:

An Act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class singly or jointly prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate public auditoriums to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities empowering such Authorities to enter into contracts leases and licenses with and to accept grants from private sources the Federal Government State political subdivisions of the State or any agency thereof authorizing the making of said grants from bond funds or current revenues authorizing Authorities to collect rentals admissions license fees for the use of the project exempting the property and securities of such Public Auditorium Authorities from taxation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act relating to counties of the second class amending revising consolidating and changing the laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 563, entitled:

An Act to further amend the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing Penalties" by imposing duties on the city controller and allowing appeals from audits or settlement of accounts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of

such pensions," by extending the benefits to certain authorities created by such cities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I hope to make what will be a clarifying statement, a clarifying statement designed to conserve the time and energies of this House, and perhaps facilitate the solution of some of our more pressing problems.

As all of you know, the Republican State Chairman issued a statement yesterday in which he pointed out that the majority party would not be able on the basis of its own power to enact a tax program, and he suggested that means be established whereby it would be possible for the majority and the minority to reach some sort of an agreement as to procedure.

Various Democratic state leaders met in conference yesterday, and the State Chairman of the Democratic party was instructed publicly through the Press to express his willingness and the willingness of the Democratic party and its members as represented in this Legislature to confer.

Unfortunately the Republican State Chairman made two statements yesterday. In his last statement he said:

> I have not read Mr. Splain's statement, however we are perfectly willing to cooperate in order to solve the Commonwealth's financial problems. I have sat down with leaders of the Democratic party repeatedly and have received no encouragement.

First, if the Republican State Chairman has sat down with Democratic leaders repeatedly, I have not been in the confidence of those Democratic leaders because I have not heard of any such conferences.

The State Chairman says, the Republican State Chairman, "We are perfectly willing to cooperate."

We are not the ones seeking cooperation. We are not going to the Republican State Chairman and say,

Mr. State Chairman, please let us talk to you.

The Republican State Chairman must realize that he is the one who has sought assistance. He must realize that the Democratic State Chairman has expressed a willingness to confer as to program and as to procedure, a preliminary conference, and it is up to the Republican State Chairman to notify, in proper fashion, the Democratic State Chairman when he would like to confer with him.

Unfortunately, the Democratic State Chairman is not in the city today. I understand that he will be in the city tomorrow. I do not know how that conference would run. It might run something like this.

"Mr. Splain, Democratic State Chairman, I am glad to see you. Whom do you represent?"

"For the purpose of this preliminary conference, Mr. Republican State Chairman, I represent the Democratic party. Whom do you represent?"

"Well," he says, "I represent the Republican Party."

"Well," Mr. Splain replies, "I am mighty glad to hear it. I have at last discovered someone who represents something. All right, Mr. Republican State Chairman, you represent the Republican party for the purpose of this conference; I am representing the Democratic party. We will meet in future conferences. Now Mr. Republican State Chairman, with whom in the future shall we confer? Shall we confer solely with you? Shall we confer with you and the Governor? Shall we confer with you, the Governor, the Speaker of this House, the Majority Leader of this House, and the Majority Leader of the Senate—just with whom shall we confer in the future?"

"Well, I'll let you know about that. I'll tell you about that."

"Well, there's another thing, Mr. Republican State Chairman. What will we confer about?"

"Initially, the tax program."

"Well, what tax bills are you for, Mr. Republican State Chairman?"

"Well, I don't know. What bills are you for?"

"Mr. Republican State Chairman, as of this moment we are not for any of them. However, presumably you are for some of them, and before we can discuss them we must know which ones you are for. And then we are interested primarily, particularly and initially in those tax bills that have 90 votes in the Republican Caucus.

"Now we will admit that you have 5 rebels. We will admit you have 10 rebels, but you have not claimed any more than 15 rebels, and so it is reasonable to expect that the Republican party can muster 90 votes for the various tax bills that it is interested in passing. We can assure you, Mr. Republican State Chairman, that outside of a sales tax, when you have 90 votes for the other taxes, we are going to give that fact very serious attention and use every possible effort to help get over the hump, and we believe we can do that very thing.

"Please understand, Mr. Republican State Chairman, that we are not furnishing Democratic votes simply for the purpose of enabling Members of the majority party from absenting themselves on the day of the vote—the day they vote on important tax bills or using their privilege as Members to vote "no" with the expectation that some valiant member of the minority will furnish the "yes" vote."

Now there has been some serious misapprehension as to our attitude. Republican leaders of the Senate and House conferred for two hours yesterday. This is in one of the current issues of the press, "But the Senate Majority Leader said after the meeting, Until the Democrats give us some idea of what taxes they will be for, there is not much we can do."

As far as we are concerned if that is the position of the majority leadership, there is not anything we will do. He is putting the shoe on the wrong foot. We are not initiating this tax program, but that is what the Majority Leader in the other Chamber would have us do, would have us come to the Republican leadership and say, "If you'll trot out this tax, we'll be for it. If you'll trout out this tax, we'll be for it. If you'll trot out this tax, we'll be for it."

That is not the situation. We are not going to make the initial choice. We will expect first that the Republican State Chairman, having made the initial move, will integrate a responsible group with which we can negotiate. We will then expect that that initial group, majority initial group, will ascertain from its membership the measures that it has 90 votes for. It will take the initial position as far as the tax program is concerned. When

there is a group with which to negotiate, and when there has been a determination of the position of the majority party with reference to taxes, we will endeavor—and I confidently believe we will succeed—in helping this House over the hump as far as a tax program is concerned, but we do not propose to take the initial steps.

We are not going to send our State Chairman to sit on the door step of the Republican State Chairman. We instructed him to confer with the Republican State Chairman as, if and when the Republican State Chairman wants to confer.

Then we want to know the program of procedure, and then we want to know the tax measures concerning which you desire assistance. Until that is done, until there is an understanding as to our position, I am afraid we cannot resolve our difficulties.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, since we adjourned here a week ago Thursday it seems like we have been, that is, both parties have been engaged in what you might call the battle of the Press releases. It started with the Minority Leader very rightfully addressing a letter to his State Chairman which was released to the Press, wherein he was asking his State Chairman for further instructions; how to proceed as a result of the tax dilemma which faces this Session of the General Assembly.

I might say there was one thing in the letter that was comforting to me, and that was the Minority Leader in his letter said, without a doubt we need $120 million more revenue in order properly to run the Commonwealth in this biennium at the present time.

There might be some things in his letter that I did not agree with, but I am whole-heartedly in accord with the Minority Leader on that particular figure, and that seems to be the figure that we must shoot at in order properly to adjourn this Session with a balanced budget.

Now I believe the Democratic State Chairman and the Republican State Chairman are acting in good faith. Right now they seem to be engaging in a battle of Press releases, but after the smoke has cleared away I believe the gentlemen will sit down and in a friendly amicable fashion, in a spirit of compromise will bring up a program that everybody has agreed upon, that we can pass, so that we can very quickly end this Session successfully.

I do not believe they should quibble over the procedure. It reminds me of the oft quoted statement "What did the Governor of North Carolina say to the Governor of South Carolina?" Of course it does not make any difference what they said as long as they get down to business and come to a sensible agreement that will help us end this Session.

I am sure a plan will be presented by the Republican side to the Democratic high command, one that they can with good grace recommend to the Democrats on the other side of the House to go along with us and help us put over.

Asking the other party for help is not without precedent in this House. I understand back in the 1937 session the House had about one hundred and fifteen Democrats and the Senate was in control of the Republicans. I will say the Democrats in the House passed a tax program without Republican help. When it got over into the Senate there was considerable delay—I think one of the taxes was a tax on personal property and there were a few other taxes which the Republicans at that time did not like, but I can recall hearing Mason Owlett say, he was then one of the leaders in the Senate, that after two weeks the Republicans finally realized that Pennsylvania had to go on, that the state had to function, and despite the fact that they might not like the program, in their caucus they said "let's give them the votes. Let's end this Session so that we can get out of here." That is what was done in 1937.

Let all of us get together in the spirit of compromise and fair play, raise the money, balance this budget and have an orderly adjournment, so that we can go back home and attend to our affairs.

I know I have neglected my business back home, and I am sure that is true of many of the members in this House. I am looking forward to next week, having the party say, "We have come to an agreement; here it is, members, pass it and let us go home."

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the Majority Leader correctly quotes history. In the 1937 session the Democratic leaders did go over to the Senate. They needed eleven votes in the Senate to pass the tax program that had passed the House.

However, they were able to find a leadership in the Senate that said to them, "You will get the eleven votes, and the eleven Members of the Senate who will vote for your respective measures are Senator So and So, So and So, So and So, and So and So."

The leaders who so said were in a position to deliver.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, as one of the rural Members of this House, I find no fault with the agreements on the tax program. I just want to remind the House that we as rural Members like to be given some consideration in the issues.

We find that in this House of Representatives when there is a bill protecting special interests, or doing certain things for special interests, there are 105 votes on that side of the House without any assistance from this side.

Now if there is anything any more important to you men on the other side of this House for the security of the state of Pennsylvania than a tax program that will secure the service of Pennsylvania to the people of Pennsylvania, then I would like to know personally what it is.

I find that you people have the votes that are necessary when you want them. I just cannot understand why you cannot find the votes that are necessary for a tax program that is so important to the people of Pennsylvania.

We do not want to gripe about it. We do not want to throw any sprags in the wheels, but we do know that in certain legislation certain communities and certain counties are exempt and you can find 105 votes on that side of the House to pass that kind of legislation, and we as rural members want to know something about what goes on.

PERMISSION TO ADDRESS HOUSE

Mr. VARNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I am just wondering if those "So and So's" are still in the Senate that were in the Senate in 1937.

Mr. Speaker, I would like further to say that as far as I am concerned I want the people of Pennsylvania and the people of Clarion county to know that I do not need the State Chairman or the County Chairman in my county to tell me what tax bills to vote for down in Harrisburg. I will take care of the vote down here when the tax bills come out of Committee.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 30, entitled:

An Act to amend section 464 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manfacturing purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain licenses fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating appeals and providing for appeals from the Superior Court to the Supreme Court

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the reassessment of certain property in townships of the first class in certain cases and imposing liability for township taxes upon the owners thereof.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 630, entitled:

An Act to further amend Section 1207 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing cetain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the disposition of certain fines and penalties collected and bail forfeited.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, with the consent of the sponsor I move that this bill be recommitted to the Committee on Highways for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1114, entitled:

An Act to add clause (n) to Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by authorizing the Department of Forests and Waters to grant certain privileges on land under its jurisdiction

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1115, entitled:

An Act to amend subsection (f) of Section 906 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by authorizing the Pennsylvania Game Commission to grant certain privileges on land under its jurisdiction.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1205, entitled:

An Act pertaining to the resignation and retirement of judges under certain conditions; fixing their compensation upon resignation or retirement and imposing duties on certain State officers.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, as this bill requires an appropriation I move it be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1264, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for plans of school buildings admission of beginners enumeration of children cost of education of blind children half-day school sessions district teaching units and payments by the Commonwealth for additional units and closed schools and transportation requiring issuance of high school certificates and approval of joint schools providing penalties on school districts and making corrections and supplying omissions

The first to eighth sections inclusive were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendments:

Amend Section 9, page 13, line 12 by inserting after the word "duration" the following "provided that the Superintendent of Public Instruction may reduce the half-day session in the first and second grades at the request of a school district for cogent reasons relating to the health safety or welfare of the children if in his opinion the school program submitted by the district shows that the local program is adequate for these grades."

Amend Section 9, page 13, line 14 by adding at the end of said line the following: "for the entire half-session but may be required by the school district to serve every school day for the same number of hours prescribed by the board of school directors for regular full-time teachers who teach full day sessions in the same grades in the school district."

They were agreed to.

The section was agreed to as amended.

The tenth to sixteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1368, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections," by changing provisions relating to voting by persons in actual military service when present in their districts of residence in which ballots are used.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1440, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (Penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 277, Printer's No. 260

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 323, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief asessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 325, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 359, Printer's No. 121 and

Senate Bill No. 528, Printer's No. 434

were passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE ON HOUSE BILL 1041

Mr. DuBOIS. Mr. Speaker, I move that the vote by which House Bill No. 1041, Printer's No. 346, entitled:

"An Act to further amend section 1142 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled 'Public School Code of 1949,' by providing additional compensation for cooperating teachers supervising student teachers."

was defeated on final passage, June 9, 1953, be reconsidered.

Mr. DAVID. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Clearfield, Mr. DuBois vote on the final passage of this bill?

Mr. DuBOIS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Forrest, Mr. Davis vote on the final passage of this bill?

Mr. DAVIS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BUCHANAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 135, entitled:

An Act to further amend Section 1204 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by giving defendant right to elect to be tried by jury.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. READINGER. Mr. Speaker, this bill was in the Committee on Motor Vehicles, but as it relates in many respects to a subject matter which the Judiciary Committee should consider, I think the bill should be committed to that committee now.

Mr. AUKER. Mr. Speaker the gentleman from Adams is not here due to illness, and I do not think we ought to move to recommit a bill to Committee without the sponsor of the bill being present. I do not think it is fair to the sponsor of the bill.

The SPEAKER. Without objection the Chair will permit the gentleman from Blair to interrogate the gentleman from Berks, Mr. Readinger. Will the gentleman permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, what would you like to have me ask the gentleman?

The SPEAKER. The Chair is certain if the gentleman asks the Member from Berks what his purpose is in recommitting the bill, the gentleman from Blair would be satisfied.

Mr. AUKER. Mr. Speaker, I think the gentleman from Berks stated his reason but I still do not think the motion ought to prevail due to the absence of the sponsor of the bill. I do not think any Member of this House would like to have his bill recommitted especially when he is absent because illness without being given an opportunity to be heard, whether he is right or wrong. That is my objection to the motion. It is the only objection I have.

I agree with Mr. Readinger, I think his motives in making the motion are good and I would vote for it if the sponsor of the bill were here, but I do not like sending a bill back to Committee when the sponsor of the bill, as I say again, i s absent from the House because of illness.

Mr. READINGER. I desire to thank the gentleman for his comments, but I still think the bill should go back to Judiciary even though Mr. Worley unfortunately is ill.

If we would follow the principal outlined by the gentleman from Blair, it would be impossible to take any action on a bill if a Member happened to be sick the entire Session. I think 207 Members can act judiciously in this matter whether the sponsor happens to be present or not. I would make the motion if he were here.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 168, Printer's No. 370,

was passed over at the request of Mr. READINGER.

DEMOCRATIC CAUCUS

Mr. READINGER. Mr. Speaker, may I request a short recess for about one-half hour for the purpose of holding a Democratic Caucus. I didn't think it would be necessary to call a caucus, but apparently it is necessary.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one-half hour for the purpose of holding a Democratic Caucus. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 305 as follows:

An Act to further amend Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by designating employes of the County Planning Commission as county employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "County Employe" in Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" as last amended by the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1723) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

* * * * *

"County Employe" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board or any independent poor district thereof and employed by the county by the county prison authorities by the county house of detention authorities [or] by the county retirement system or by the county planning commission whose salary or compensation is paid in regular periodic installments but shall not except as hereinafter provided include any person who is employed on a per diem basis

* * * * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tompkins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Musto,	VanSant,
Cioffi,	Jones, Granville E.,	Naugle,	Varallo,
Clapper,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Comer,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	Parlante,	Wall,
Conner,	Keller,	Peifly,	Wallace,
Cooper,	Kent,	Peta,	Walsh,
Coyle,	Kerlin,	Petrosky,	Wargo,
Curwood,	Kohl,	Pettigrew,	Waterhouse,
Davis,	Kolankiewicz,	Pfaff,	Weidner,
Dougherty,	Kornick,	Phillips,	Welsh,
Down,	Kratz,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,

Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 492, as follows:

An Act authorizing justices of the peace aldermen and magistrates to perform official duties of other justices of the peace aldermen and magistrates in the same county during certain periods of illness and vacation and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any period of thirty consecutive days within any calendar year during which a justice of the peace alderman or magistrate shall be incapable of performing any of his official duties due to illness and in only one period of thirty consecutive days within any calendar year during which a justice of the peace alderman or magistrate shall be unable to perform any of his official duties due to a vacation any other justice of the peace alderman or magistrate residing within the same county may perform in his stead any and all duties of the justice of the peace alderman or magistrate when requested to do so by the person in lieu of whom he shall act

Section 2 All official papers and records concerning which one justice of the peace alderman or magistrate shall act for another pursuant to the provisions of section one of this act shall contain a statement together with the signature and seal of the justice of the peace alderman or magistrate acting for another showing the date on which the act was performed the name of the official in whose stead he is acting the date on which he commenced acting for the other and the date when his commission expires

Section 3 All actions or duties performed pursuant to the provisions of section one of this act shall be valid to all intents and purposes to the same extent as if performed by the ill or vacationing justice of the peace alderman or magistrate in whose stead another acted

Section 4 The provisions of this act shall not be deemed to enlarge the jurisdiction granted to justices of the peace aldermen or magistrates by other acts of Assembly

Section 5 Any justice of the peace alderman or magistrate who shall perform the duties of another for any period of time longer than prescribed by section one of this act or who shall fail to enter on official papers and records statements over his signature and seal as prescribed by section two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars ($100) or to undergo imprisonment for not more than thirty (30) days or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
DuBois,	Lederer,	Price,	White,
Dunn,	Leisey,	Quisenberry,	Whitenight,
Erb,	Leonard,	Ragot,	Willaredt,
Ewing,	Leven,	Readinger,	Williams,
Farabaugh,	Light,	Reagan,	Wilt,
Fenrich,	Limper,	Reidenbach,	Wood,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lopresti,	Rosen,	Yetzer,
Flack,	Lovett,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C., Speaker
Frost,	Markley,	Schmidt,	
Geer,			

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 627, Printer's No. 373

was passed over at the request of Mr. PETROSKY.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 633, entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; rquiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 1 by striking out at the end of the line after the word "types" the following: "except".

Amend Section 2, page 4, line 2 by striking out at the beginning of the line before the word "and" the following: "cigarettes".

Amend Section 2, page 4, line 2 by inserting after the word "snuff" and before the word "To" the following: "except cigarettes."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 651, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for increase in number and change in terms of members of Authority boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" as last amended by the act approved the twenty-first day of January one thousand nine hundred fifty-two (P. L. 2188) is hereby further amended to read as follows

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of [five members or in case of an Authority one or more projects of which extends or is to extend into or is leased or is to be leased to more than one municipality the board shall consist of] such number of members not less than five as shall be set forth in the articles of incorporation or amendment thereto The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment [and one of whom] unless otherwise provided in the articles of incorporation or amendment thereto one member shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation and if there [be] are more than five members of the board their terms shall be staggered in a similar manner. Thereafter whenever a vacancy has occurred or is about to occur by reason of the expiration of the term of any member the said governing body shall appoint a member of the board for a like term [of five years] to succeed the member whose term has expired or is about to expire

(b) If the Authority is incorporated by two or more municipalities the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five When one or more additional municipalities join an existing Authority each of such joining municipalities shall have such membership on the board as the municipalities then members of the Authority and the joining municipalities may determine by appropriate resolutions Such member or members representing the joining municipality or municipalities shall be appointed immediately upon the admission of such municipalities or municipalities into the Authority for the term of years provided in the application for membership required by section three point one of this act

The members of the board each of whom shall be a citizen of the municipality by which he is appointed or a citizen of a municipality into which one or more of the projects of the Authority extends or is to extend or to which one or more of said projects has been or is to [to] be leased shall be appointed their terms fixed and staggered and vacancies filled and where two or municipalities are members of the Authority shall be apportioned in such manner as the articles of incorporation the amendments thereof or the application for membership required by section three point one of this act shall provide [No member shall be appointed for a term longer than five years]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,

Blair,	Harris,	Mikula,	Stimmel,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C.,
Geer,	Markley,	Schmidt,	Speaker

NAYS—1

DuBois,

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 738 as follows:

An Act to further amend Section 28 of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by providing that removal notices may be filed by registered electors moving from one election district to another within the same county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 28 of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as last amended by the act approved the third day of June one thousand nine hundred forty-three (P. L. 855) is hereby further amended to read as follows

Section 28 Removal Notices (a) The commission shall provide forms of removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor in his residence if a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address (4) the serial number of his registration card (5) space wherein the elector shall sign his name and insert the date of signing (6) space wherein two registered electors of the district to which he has removed shall sign their names and addresses certifying to the truth of the statement on said notice as to his present place of residence The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice having it witnessed as aforesaid and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district [have his change of residence entered on the registers] Each removal notice shall contain a warning to the elector that the notice will not be accepted upnless the signature thereon can be identified by the commission with the elector's signature in the general and district register and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed he shall be guilty of a misdmeanor and subject to the penalties as provided by this act Each removal notice to be effective must be received either through the mail or by delivery at the office of the commission postmarked or delivered as the case may be not later than the tenth day prior to any primary or election and must have been signed by the elector within ten days prior to the date of mailing or delivery Warning of these provisions shall also appear on each removal notice form

(b) Any elector who removes his residence from one place to another within the same election district shall notify the commission by filing a removal notice with the commission in the manner herein provided not later than ten days next preceding the primary or election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Gutendorf,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tomplins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Musto,	VanSant,
Cioffi,	Jones, Gran'le E.,	Naugle,	Varallo,
Clapper,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Comer,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	Parlante,	Wall,
Conner,	Keller,	Peifly,	Wallace,
Cooper,	Kent,	Peta,	Walsh,
Coyle,	Kerlin,	Petrosky,	Wargo,
Curwood,	Kohl,	Pettigrew,	Waterhouse,
Davis,	Kolankiewicz,	Pfaff,	Weidner,
Dougherty,	Kornick,	Phillips,	Welsh,
Down,	Kratz,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 768, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Labor and Industry of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 867) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
Unemployment Compensation Board of Review
Pennsylvania Labor Relations Board
Advisory Council on Affairs of the Handicapped

Section 2 Section 203 of said act as last amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 867) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made parts of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans' Commission

In the Department of Forests and Waters
State Forest Commission
Flood Control Commission

In the Department of Health
Advisory Health Board

In the Department of Labor and Industry
Industrial Board
Advisory Council on Affairs of the Handicapped
In the Department of Welfare
State Welfare Commission
In the Department of Property and Supplies
General Galusha-Pennypacker Monument Commission

Section 3 Said act is hereby further amended by adding after Section 461 thereof a new section to read as follows .

Section 462 Advisory Council on Affairs of the Handicapped The Advisory Council on Affairs of the Handicapped shall consist of nine members who shall be named by the Governor three of whom shall be representative of employers three as representatives of bona fide labor organizations having state-wide or national membership and three who are themselves physically handicapped from bona fide organizations of the physically handicapped

The Secretary of the State Department of Labor shall be ex officio chairman of said advisory council

The terms of the members shall be for three years from the dates of their respective appointments

Five members of the Advisory Council shall constitute a quorum Each member of the Advisory Council shall be paid traveling expenses and other necessary expenses and per diem compensation at the rate of fifteen dollars per day for each day of actual service

The Advisory Council shall meet not less than twice yearly or oftener on the call of the chairman

Section 4 Said act is hereby further amended by adding after Section 2209 a new section to read as follows

Section 2209.1 The Advisory Council on Affairs of the Handicapped The Advisory Council on Affairs of the Handicapped shall have the power and its duties shall be to act in an advisory capacity to all agencies of the State government dealing with the problems of the physically handicapped including the State Board of Vocational Rehabilitation the State Employment service and the State Council of the Blind and any other agency having a substantial part of the Handicapped Program with a view of coordinating and improving these services so as to render better service to the handicapped and to effectuate as far as possible greater ecenomy in the operation of these State services

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Granʼle E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Clapper,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, O. C., Speaker
Geer,	Markley,	Schmidt,	

NAYS—1

DuBois,

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 769 as follows:

An Act to add Section 141.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing county treasurers to appoint their own solicitors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding immediately after Section 141 a new section to read as follows

Section 141.1 Appointment of Treasurer's Solicitor Any county treasurer may appoint a solicitor to serve as the treasurer's solicitor at a salary to be fixed by the salary board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,

Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stimmel,
Blair,	Harris,	Mikula,	Stevenson,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C.,
Geer,	Markley,	Schmidt,	Speaker

NAYS—1

DuBois

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 778 as follows:

An Act relating to the burden of proof in actions of defamation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Burden of Proof (1) In an action for defamation the plaintiff has the burden of proving when the issue is properly raised

(a) The defamatory character of the communication

(b) Its publication by the defendant

(c) Its application to the plaintiff

(d) The recipient's understanding of its defamatory meaning

(e) The recipient's understanding of it as intended to be applied to the plaintiff

(f) Special harm resulting to the plaintiff from its publication

(g) Abuse of a conditionally privileged occasion

(2) In an action for defamation the defendant has the burden of proving when the issue is properly raised

(a) truth of the defamatory communication

(b) The privileged character of the occasion on which it was published

(c) The character of the subject matter of defamatory comment as of public concern

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
DuBois,	Lederer,	Price,	White,
Dunn,	Leisey,	Quisenberry,	Whitenight,
Erb,	Leonard,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Willaredt,
Farabaugh,	Light,	Reagan,	Wilt,
Fenrich,	Limper,	Reidenbach,	Wood,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lopresti,	Rosen,	Yetzer,
Flack,	Lovett,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C.,
Frost,	Markley,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—7

Bomberger	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782 as follows:

An Act concerning actions for libel or other torts barring certain actions regulating the recovery of damages and making uniform the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No person shall have more than one cause of action for damages for libel or slander or invasion of privacy or any other tort founded upon any single publication or exhibition or utterance such as any one edition of a newspaper or book or magazine or any one presentation to an audience or any one broadcast over radio or television or any one exhibition of a motion picture Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdiction

Section 2 A judgment in any jurisdiction for or against the plaintiff upon the substantive merits of any action for damages founded upon a single publication or exhibition or utterance as described in section one shall bar any other action for damages by the same plaintiff against the same defendant founded upon the same publication or exhibition or utterance

Section 3 This act shall be so interpreted as to effectuate its purpose to make uniform the law of those states or jurisdictions which enact it

Section 4 This act may be cited as the Uniform Single Publication Act

Section 5 This act shall not be retroactive as to causes of action existing on its effective date

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
DuBois,	Lederer,	Price,	White,
Dunn,	Leisey,	Quisenberry,	Whitenight,
Erb,	Leonard,	Ragot,	Willaredt,
Ewing,	Leven,	Readinger,	Williams,
Farabaugh,	Light,	Reagan,	Wilt,
Fenrich,	Limper,	Reidenbach,	Wood,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lopresti,	Rosen,	Yetzer,
Flack,	Lovett,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C., Speaker
Frost,	Markley,	Schmidt,	
Geer,			

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 789, Printer's No. 378,

House Bill No. 814, Printer's No. 97 and

House Bill No. 834, Printer's No. 345

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 850 as follows:

An Act empowering a court in which is pending an action on behalf of the estate of a decedent to make an order approving a compromise or settlement of such action and to approve an agreement for counsel fees and other proper expenses incident to such action and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever it is desired to compromise or settle an action in which damages are sought to be recovered on behalf of the estate of a decedent any court in which such action is pending and which has jurisdiction thereof may upon oral motion by plaintiff's counsel of record in such action or upon petition by the personal representative of such decedent make an order approving such compromise or settlement such order may approve an agreement for the payment of counsel fees and other proper expenses incident to such action

Section 2 The order of the court approving such compromise or settlement or an agreement for the payment of counsel fees and other expenses shall not be subject to collateral attack in the Orphans' Court in the settlement of the decedent's estate

Section 3 The personal representative shall file a copy of the order of the court approving such compromise or settlement in the office of the Register of Wills by whom his letters were granted When the personal representative has been required to give bond he shall not receive the proceeds of any such compromise or settlement until the Register of Wills has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Gutendorf,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tompkins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Musto,	VanSant,
Cioffi,	Jones, Gran'le E.	Naugle,	Varallo,
Clapper,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Comer,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	Parlante,	Wall,
Conner,	Keller,	Peifly,	Wallace,
Cooper,	Kent,	Peta,	Walsh
Coyle,	Kerlin,	Petrosky,	Wargo,
Curwood,	Kohl,	Pettigrew,	Waterhouse,
Davis,	Kolankiewicz,	Pfaff,	Weidner,
Dougherty,	Kornick,	Phillips,	Welsh,
Down,	Kratz,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Marriage Law"

Section 2 License Necessary to Marry No person shall be joined in marriage in this Commonwealth until a marriage license shall have been obtained from the clerk of the orphans' court of any county A license so issued shall authorize a marriage ceremony to be performed in the county where the license is issued or in any other county of this Commonwealth Prior to issuance of said license the clerk of the orphans' court shall be satisfied as to the identity of both of the applicants

Section 3 Application for License to Marry No license to marry shall be issued by any clerk of the orphans' court except upon written and verified application made by both of the parties intending to marry Such application shall contain a statement of the full christian name and surname of the male and female applicant race occupation birthplace residence and ages of the parties whether the marriage contemplated in the first second or other marriage and that neither of the contracting parties is afflicted with transmissible disease together with the full christian name and surname residence race occupation and birthplace of their parents including the maiden name of the mother together with such other facts as may be necessary to determine whether any legal impediment to the proposed marriage exists

Section 4 Waiting Period After Application for License No license to marry shall be issued until or after the third day following the making of application therefor except in case of emergency or extraordinary circumstances when a judge of the orphans' court or a master duly appointed by said court may authorize a license to be issued at any time before the third day following the making of the application

Section 5 Restrictions on the Issue of Marriage License No license to marry shall be issued by any clerk of the orphans' court

(a) Until there shall be in the possession of the clerk of the orphans' court a statement or statements signed by a duly licensed physician of the Commonwealth of Pennsylvania or any commissioned medical officer in the United States Army or Navy or any physician of the Public Health Service of the Federal Government that each applicant within thirty days of the application for the marriage license has submitted to an examination to determine the existence or nonexistence of syphilis which examination has included a standard serological test or tests for syphilis and that in the opinion of the examining physician the applicant is not infected with syphilis or if so infected is not in a stage of that disease which is likely to become communicable The physician's statement shall be accompanied by a statement from the person in charge of the laboratory making the test or from some other person authorized to make such statement setting forth the name of the test the date it was made the exact name and address of the physician to whom a report was sent and the exact name and address of the person whose blood was tested but not setting forth the result of the test and such other facts as the Department of Health may deem necessary to determine whether the applicant is infected with syphilis in a stage of that disease likely to become communicable.

(b) If either of the applicants for a license is under the age of sixteen years unless a judge of the orphans' court shall decide that it is to the best interest of such applicant and shall authorize the clerk of the orphans' court to issue the license

(c) If either of the applicants is under the age of twenty-one years unless the consent of a parent or guardian of said applicant shall be personally given before the clerk or be certified under the hand of a parent or guardian attested by two adult witnesses and in the latter case the signature of the parent or guardian shall be acknowledged before an officer authorized by law to take acknowledgments When any such minor has no guardian and a judge of the orphans' court is absent or not accessible for any reason the clerk of the orphans' court or a duly appointed assistant clerk of said court may appoint for such minor a guardian pro hac vice

(d) If either of the applicants for a license is weak-minded insane of unsound mind or is under guardianship as a person of unsound mind

(e) If either of the applicants is an epileptic or is or has been within five years preceding the time of the application an inmate of an institution for epileptics weak-minded insane or persons of unsound mind unless a judge of the orphans' court shall decide that it is for the best interest of such applicant and the general public to

issue the license and shall authorize the clerk of the orphans' court to issue the license

(f) If either of the applicants for a license is or has been within five years preceding the time of the application an inmate of an institution for indigent persons unless a judge of the orphans' court shall determine that the applicant is no longer an indigent person and if a male that he is able to support a family and shall authorize the clerk of the orphans' court to issue the license

(g) If at the time of making application either of the applicants is under the influence of intoxicating liquor or narcotic drug

(h) To a person divorced by his or her former spouse on the grounds of adultry for the marriage of such person to the person with whom the crime of adultery was committed during the lifetime of the former husband or wife

(i) To applicants within the prohibited degrees of consanguinity and affinity which are as follows

Degrees of Consanguinity

A man may not marry his mother
A man may not marry his father's sister
A man may not marry his mother's sister
A man may not marry his sister
A man may not marry his daughter
A man may not marry the daughter of his son or daughter
A man may not marry his first cousin
A woman may not marry her father
A woman may not marry her father's brother
A woman may not marry her mother's brother
A woman may not marry her brother
A woman may not marry her son
A woman may not marry the son of her son or daughter
A woman may not marry her first cousin

Degrees of Affinity

A man may not marry his father's wife
A man may not marry his son's wife
A man may not marry his wife's daughter
A man may not marry the daughter of his wife's son or daughter
A woman may not marry her mother's husband
A woman may not marry her daughter's husband
A woman may not marry her husband's son
A woman may not marry the son of her husband's son or daughter

Section 6 Tests for Syphilis Physician's Statement Appeals Filing

(a) For the purpose of this act a standard serological test for syphilis shall be a test approved by the State Department of Health and shall be made at a laboratory approved to make such tests by the State Department of Health Such laboratory tests as are required to be made by this act shall on request of the physician submitting the sample and on his certificate that the applicant is unable to pay be made without charge by the State Department of Health

(b) Any applicant for a marriage license having been denied a physician's statement as required by this act shall have the right to appeal to the Department of Health of the Commonwealth of Pennsylvania for a review of the case and such department shall after appropriate investigation issue or refuse to issue a statement in lieu of the physician's statement required by section one of this act

(c) The statements of the physician who examined the applicant and the laboratory which made the serological test shall be uniform throughout the state and shall be upon forms provided therefor by the State Department of Health These forms shall be filed by the clerk of the orphans' court separately from the applications for marriage licenses and shall be regarded as absolutely confidential by any and every person whose duty it may be to obtain make transmit or receive such information or report

Section 7 Examination of Applicants Each of the applicants for a marriage license shall appear in person before the clerk of the orphans' court of the county in which the license is to be issued or before an alderman or justice of the peace of that county or in any county of this Commonwealth At the time of such appearance the applicant or both of them if they appear together shall be examined under oath or affirmation as to

(a) The legality of the contemplated marriage

(b) Any prior marriage or marriages and its or their dissolution

(c) All the information required to be furnished on the application for license as prepared and approved by the Department of Health

(d) The restrictions set forth in section four of this act

The application or applications shall thereupon be completed in accordance with such examination and duly sworn or subscribed to by the applicants

Upon the completion of any application or applications taken before an alderman or justice of the peace such application or applications shall be promptly transmitted to the clerk of the orphans' court of the county in which the license is to be issued

The clerk of the orphans' court wherein the license is sought when properly completed applications on behalf of each of the parties to the proposed marriage have been taken before him or duly forwarded to him by an alderman or justice of the peace shall if there is no legal objection to the marriage grant a license Such license shall not be granted until or after the third day following the date of the most recent of the two applications therefor

The clerk of the orphans' court shall provide application blanks upon request to aldermen and justices of the peace

Section 8 Finding that Spouse of Applicant is Presumed Decedent

(a) Finding of Death When the spouse of an applicant for marriage license has disappeared or is absent from his place of residence without being heard of after diligent inquiry an orphans' court judge aided by the report of a master if necessary upon petition of the applicant for marriage license may make a finding and decree that the absentee is dead and the date of his death Provided That notice to the absentee has been given as provided in subsection (d) of this section Provided further That either of the applicants is and for one year or more prior to the application has been a resident of Pennsylvania

(b) Presumption from Absence When the death of the spouse of an applicant for a marriage license is in issue his unexplained absence from his last known place of residence and the fact that he has been unheard of for seven years may be sufficient ground for finding he died seven years after he was last heard from

(c) Exposure to Specific Peril The fact that an absentee was exposed to a specific peril of death may be a sufficient ground for finding that he died less than seven years after he was last heard from

(d) Notice to Absentee The court shall require such advertisement in such newspapers as the court according to the circumstances of the case shall deem advisable the fact of such application for the marriage license together with notice that at a specified time and place the court or a master appointed by the court for that purpose will hear evidence concerning the alleged absence including the circumstances and duration thereof

(e) Effect of Decree Even though the spouse so declared to be presumed dead is in fact alive the marriage performed pursuant to a license issued by virtue of such decree shall be valid and for all intents and purposes as though the marriage between said presumed decedent and the applicant has been terminated by a final decree in divorce a v m

Section 9 Orphans' Court to Pass Upon Refusal of Clerk to Issue License

In those cases where the right to a license is not made to appear the clerk of the orphans' court shall refuse to issue the same Upon request of the applicants the clerk of the orphans' court immediately after such refusal shall

certify the proceedings to the orphans' court of the county without formality or expense to the applicants

Such application for a license to marry shall thereupon at the earliest possible time be heard by a judge of said court without a jury in court or in chambers during the term or in vacation as the case may be The finding of the court that a license ought to issue or ought not to issue shall be final and the clerk of the orphans' court shall act in accordance therewith

The true intent of this section is to secure for applicants an immediate hearing before the orphans' court without delay or expense on the part of the applicants

Section 10 Recording Application and Consent Certificate The applications for license and all consent certificates shall be immediately filed with the clerk of the orphans' court in permanent files with a docket reference thereto at the cost of the county which shall be a public record open to inspection or examination by the public at all times during business hours Any person may make a copy or abstract of the entries contained in the said marriage license docket for the purpose of publication in any regularly published daily or weekly newspaper and it shall be lawful to publish said copy or abstract in any regularly published daily or weekly newspaper printed within the Commonwealth

Section 11 Form of Marriage Licenses Marriage Certificates (a) The marriage license as issued by the clerk of the orphans' court shall not be valid for a longer period than sixty days from the date of issue and shall be in form substantially as follows to wit

Commonwealth of Pennsylvania } ss No
County of }

To any person authorized by law to solemnize marriage
You are hereby authorized to join together in holy state of matrimony according to the laws of the Commonwealth of Pennsylvania A B of full age and never heretofore married and C D .....
likewise of full age and never heretofore married

Given under my hand and seal of the orphans' court of said county of ..... at .....
this ..... day of .....
one thousand .....

If either of said parties is not of full age of twenty-one years then in lieu of the words "of full age" his or her age shall be stated and the fact of consent of parent or guardian shall likewise be stated and if either of said parties shall have been married previously to the issuing of such license then in lieu of the words "never previously married" there shall be stated the number of times he or she shall have been previously married and the mode by which said prior marriage or marriages was or were dissolved the date or dates of divorce or death and if by divorce the cause thereof If either of said parties is under the age of sixteen years and a judge of the orphans' court shall have authorized the license to be issued then in lieu of the words "of full age" his or her age shall be stated and the fact that a judge authorized the license to issue shall likewise be stated in addition to the consent of a parent or a guardian

(b) The license shall have appended to it two certificates numbered to correspond with said license (one marked original and one marked duplicate) which shall be in form substantially as follows

I hereby certify that on the .....day
of ..... one thousand .....
at ..... Pennsylvania .....
and ..... were by me united in marriage
in accordance with license issued by the clerk of the orphans court of ..... county
Pennsylvania numbered .....

Signed .....
(Title of person solemnizing marriage)

Address .....

Section 12 Forms Where Marriage Ceremony Performed by Parties to Marriage In all cases in which the parties intend to solemnize their marriage by religious ceremony without an officiating clergyman no such marriage shall take place until the clerk of the orphans' court shall certify their right so to do in a declaration in substantially the following form:

To A B and C D No.....
Legal evidence having been furnished to me in accordance with law this certifies that I am satisfied that there is no legal impediment to you joining yourselves together in marriage

Signed .....
Clerk of the Orphans' Court

In lieu of the certificate before set forth there shall be appended to such declaration two certificates numbered to correspond to the declaration of the clerk of the orphans' court in the following form

We hereby certify that on the ..... day of .....
one thousand nine hundred and ..... we united ourselves in marriage at ..... In the county of .....
Pennsylvania having first obtained from the clerk of the orphans' court of ..... county Pennsylvania a declaration numbered ..... that he was satisfied that there was no existing legal impediment to our so doing

A B
C D

We the undersigned were present at the solemnization of the marriage of A B and C D as set forth in the foregoing certificate

D E
E F

Section 13 Persons Qualified to Solemnize Marriage The chief justice and each justice of the Supreme Court the president judge and each judge of the Superior Court the president judge and each judge of the court of common pleas court the president judge and each judge of the orphans' court the president judge and each judge of the Allegheny County and the Philadelphia municipal court each magistrate alderman justice of the peace mayor of any city and burgess of any borough of this Commonwealth and each minister priest or rabbi of any regularly established church or congregation is hereby authorized to solemnize marriages between such persons as produce a marriage license issued by the clerk of the orphans' court

Every religious society religious institution or religious organization in this Commonwealth may join together in marriage such persons as are members of the said society institution or organization or when one of such persons is a member of such society institution or organization according to the rules and customs of the society institution or organization to which either of them belong

Section 14 Returns of Marriages The certificate marked "original" shall by the person solemnizing the marriage be duly signed and be given to the parties contracting the marriage and the certificate marked "duplicate" shall by the person or by a member of the religious society institution or organization solemnizing the marriage be duly signed and returned to the clerk of the orphans' court who issued the license within ten days after the solemnizing of said marriage If the marriage was solemnized by the parties themselves the certificate marked "orignal" shall be signed by the parties to the marriage and be attested by two witnesses and be retained by the parties contracting the marriage and the certificate marked "duplicate" shall be signed by the parties to the marriage and be attested by the same two witnesses and be returned to the clerk of the orphans' court issuing the same within ten days

The clerk of the orphans' court upon receiving the "duplicate" certificate shall record the same in the permanent marriage license files

Section 15 Marriage License Needed to Officiate No person qualified to perform marriages shall officiate at a marriage ceremony without the parties having obtained

a license properly issued by the clerk of the orphans' court authorizing the right to marry

Section 16 Marriages Within Degrees of Consangunity and Affinity All marriages within the prohibited degrees of consanguniti y or affinity as set forth in this act are hereby declared voidable to all intents and purposes but when any of said marriages shall not have been dissolved during the life time of the parties the unlawfulness of the same shall not be inquired into after the death of either of the parties thereto

Section 17 Marriages During Existence of Former Marriage If a person during the lifetime of a husband or wife with whom a marriage is in force enters into a subsequent marriage pursuant to the requirements of this act and the parties thereto live together thereafter as husband and wife and such subsequent marriage was entered into by one or both of the parties in good faith in the full belief that the former husband or wife was dead or that the former marriage has been annulled or terminated by a divorce or without knowledge of such former marriage they shall after the impediment to their marriage has been removed by death of the other party to the former marriage or by annulment or divorce if they continue to live together as husband and wife in good faith on the part of one of them be held to have been legally married from and immediately after the removal of such impediment

Section 18 Preparation of Forms Applications for licenses to marry consent certificates marriage licenses and other necessary forms shall be supplied to the clerk of the orphans' court by the county commissioners at the expense of the county and shall be uniform throughout the Commonwealth as prepared by the Department of Health Statements of physicians and laboratories relative to examination for syphilis as prepared by the Department of Health shall be furnished from time to time to the several clerks of the orphans' court of this Commonwealth

Section 19 Fees The fee to be charged by the clerk of the orphans' court in various counties for issuing a marriage license or declaration and for returns thereof to the Department of Health shall be three dollars two dollars and fifty cents of which shall be for the use of the clerk of the orphans' court of the county wherein such license is issued and fifty cents for the use of the Commonwealth In addition the clerk shall make the usual charge for affidavits All monies collected by the said clerk for the use of the Commonwealth shall on or before the tenth day of the following month be transmitted to the State Treasurer to be placed in the General Fund for the use of the Commonwealth

Section 20 Certified Copies of Records Evidence A certified copy of the record of a marriage license under the hand of the clerk of the orphans' court and the seal of such court or under the hand of the Secretary of Health and the seal of the Department of Health shall be received in all courts of this Commonwealth as prima facie evidence of the marriage between the parties therein named

Section 21 Penalties (a) Any clerk of the orphans' court who shall wilfully issue a marriage license in any manner except as provided for in this act or who shall refuse or neglect to enter upon the marriage license docket any marriage license application or any marriage license issued from his office immediately after it is issued or to enter any consent certificate or authorization of a judge of the orphans' court or shall fail to keep the marriage license docket open for inspection or examination by the public or shall prohibit or prevent any person from making a copy or abstract of the entries in marriage license docket for the purpose of publishing the same in any regularly published daily or weekly newspaper shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50.00) and costs for each offense

(b) Any applicant for a marriage license physician or representative of a laboratory who shall misrepresent any of the facts described by clause (a) of section four of this act or any licensing officer failing to receive the statements prescribed by such clause or who shall have reason to believe that any of the facts thereon have been misrepresented and shall nevertheless issue a marriage license or any person who shall disregard the confidential character of the information or reports required by such clause or any other person who shall otherwise fail to comply with the provisions of such clause shall upon conviction thereof in a summary proceeding in the county wherein such offense was committed be sentenced to pay a fine of not less than twenty dollars ($20.00) nor more than one hundred dollars ($100.00) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not less than ten (10) days nor more than thirty (30) days

(c) Any person solemnizing a marriage who shall neglect or refuse to return the "duplicate" certificate of marriage of the clerk of the orphans' court within ten (10) days after the marriage was solmenized shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of fifty dollars ($50.00) and the costs of prosecution

(d) If any person shall solemnize any marriage ceremony or shall be a party or an attesting witness to the same without the parties to the marriage having first obtained the proper license as provided for in this act he she or they so officiating contracting or attesting shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50.00)

(e) Any person who shall knowingly perform a marriage ceremony between parties when either of said parties is intoxicated or under influence of narcotic drugs shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of fifty dollars ($50.00) or be imprisoned not exceeding sixty (60) days or both

(f) Any alderman or justice of the peace who shall knowingly insert or permit to be inserted any false statement in any application for marriage license shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50.00) and costs of prosecution

(g) All fines and penalties collected pursuant to this act shall be for the use of the county in which the marriage license was issued

Section 22 Statistics Each clerk of the orphans' court shall furnish the Department of Health not later than the tenth day of each month with a transcript or record of each marriage license issued and each return of the celebration of a marriage received or filed in his office during the preceding calendar month

The transcripts or records required to be furnished shall be made by the clerk of the orphans' court on forms prepared from time to time by the Department of Health and shall contain such information as the department may require The forms so prepared shall be furnished to the clerks of the orphans' court by the Department of Health

The records so furnished to the Department of Health shall be public records open to inspection during business hours The Department of Health shall from time to time compile and publish statistics from such records for public information

Section 23 Common Law Marriage Nothing herein contained shall be construed to change the existing law with regard to common law marriage

Section 24 Repeals The following acts and parts of acts are hereby repealed as specifically indicated

Sections five six and nine of the act approved the thirteenth day of March one thousand eight hundred fifteen (P. L. 150) entitled "An act concerning divorces" so far as supplied by this act

Section two of the act approved the tenth day of April one thousand eight hundred forty-nine (P. L. 549) entitled "An act to prevent the killing of deer at certain seasons in Union County and relative to marriage certificates" absolutely

The act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled

"An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" and its amendments absolutely

The act approved the twenty-second day of May one thousand eight hundred ninety-five (P. L. 99) entitled "An act requiring clerks of orphans' court to keep marriage license dockets open for inspection by the public and allow copies or abstracts of the same to be made for publication and providing a penalty for non-compliance" absolutely

The act which was certified to have become a law by the Secretary of the Commonwealth on the twenty-fourth day of June one thousand nine hundred one (P. L. 597) entitled "An act making it unlawful for first cousins to be joined in marriage and declaring all marriages contracted after the first day of January Anno Domini one thousand nine hundred and two in violation of this act void" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" and its amendments absolutely

The act approved the second day of May one thousand nine hundred twenty-five (P. L. 494) entitled "An act fixing the fee to be charged for the issuing of marriage licenses" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred twenty-seven (P. L. 64) entitled "An act establishing the minimum marriageable age at sixteen years and providing for certain exceptions thereto" absolutely

The act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 148) entitled "An act regulating the issuance of marriage licenses prohibiting the issuance thereof to persons infected with syphilis in certain stages requiring each applicant to produce certain evidence of freedom from such disease imposing duties upon the Department of Health and the clerk of the orphans' court of the various counties and imposing penalties" and its amendments absolutely

Sections thirty and thirty-one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" absolutely

The act approved the ninth day of March one thousand nine hundred forty-five (P. L. 41) entitled "An act to amend section one of the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 148) entitled 'An act regulating the issuance of marriage licenses prohibiting the issuance thereof to persons infected with syphilis in certain stages requiring each applicant to produce certain evidence of freedom from such disease imposing duties upon the Department of Health and the clerk of the orphans' court of the various counties and imposing penalties' authorizing a medical officer of the United States Public Health Service or a medical officer of the United States Army or a medical officer of the United States Navy to make serological tests and make statements" absolutely

Section six of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of veneral diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" absolutely

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 25 Effective Date The provisions of this act shall become effective the first day of January one thousand nine hundred and fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tompkins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Musto,	VanSant,
Cioffi,	Jones, Gran'le E.	Naugle,	Varallo,
Clapper,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Comer,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	Parlante,	Wall,
Conner,	Keller,	Peifly,	Wallace,
Cooper,	Kent,	Peta,	Walsh
Coyle,	Kerlin,	Petrosky,	Wargo,
Curwood,	Kohl,	Pettigrew,	Waterhouse,
Davis,	Kolankiewicz,	Pfaff,	Weidner,
Dougherty,	Kornick,	Phillips,	Welsh,
Down,	Kratz,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 894, Printer's No. 299,

House Bill No. 900, Printer's No. 392 and

House Bill No. 1098, Printer's No. 393

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1150, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the provisions relating to the time for holding special elections for Representatives in Congress and Senators and Representatives in the General Assembly and for certifications by the Secretary of the Commonwealth in County Boards of Elections with respect to the nominees for certain offices to be filled at special elections and providing for the holding of special elections to fill vacancies in offices of political subdivisions and for nominating candidates therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 Section 1 Section 627 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 627 Special Elections for Representative in Congress Whenever a vacancy shall occur or exist in the office of Representative in Congress from this State during a session of Congress or whenever such vacancy shall occur or exist at a time when the members of Congress shall be required to meet at any time previous to the next general election the Governor shall issue within ten days after the happening of said vacancy or after the calling of an extraordinary session of Congress during the existence of said vacancy a writ of election to the proper county board or boards of [election] elections and to the Secretary of the Commonwealth for a special election to fill said vacancy which election shall be held on a date named in said writ which shall not be less than [thirty (30)] forty (40) days after the issuance of said writ In all other cases no such special election to fill said vacancy shall be held The Governor may fix in such writ of election the date of the next ensuing primary or municipal election as the date for holding any such special election

Section 2 Section 628 of said act as last amended by the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 20) is hereby further amended to read as follows

Section 628 Special Elections for Senator and Representative in the General Assembly Whenever a vacancy shall occur in either house of the General Assembly whether or not it then be in session the presiding officer of such house shall issue a writ of election to the proper county board or boards of [election] elections and to the Secretary of the Commonwealth for a special election to fill said vacancy which election shall be held on a date named in the writ which shall be not less than [thirty (30)] forty (40) days after the issuance of said writ The presiding officer may fix in such writ of election the date of the next ensuing primary municipal or general election as the date for holding any such special election Provided however That should the Governor after the issuance of the said writ of election advise the presiding officer that the General Assembly will be called into extraordinary session prior to the date set for such special election the presiding officer may countermand the writ theretofore issued and shall issue a new writ of election fixing therein such earlier date therefor as is deemed expedient but which shall not be less than [thirty (30)] forty (40) days after the issuance of said writ

Section 3 Sections 628.1 629 and 636 of said act as added or last amended by the act approved thetwenty-third day of May one thousand nine hundred forty-nine (P. L. 1656) are hereby amended or further amended to read as follows

Section 628.1 Special Elections for [Members of Councils or Legislative Bodies of Cities Boroughs Towns and Townships] Officers of Political Subdivisions In all cases where under any law now or hereafter enacted or under the charter of any city now or hereafter adopted a special election is required to fill any vacancy in [the office of member of the council or legislative body of any city borough town or township] any office of a political subdivision such election shall be held on the day fixed in the writ for the special election or on such day as may be otherwise provided by such law or charter which day shall not be less than [thirty (30)] forty (40) days after the issuance of the writ or after the happening of the vacancy as the case may be not withstanding any provisions in such law or charter requiring the special election to be held on an earlier day This section shall not be construed as requiring a special election in any case where such election is not required under any law now or hereafter enacted

Section 629 Nominations for Special Election for Representative in Congress Senator and Representative in the General Assembly and [Member of Council or Legislative Body of Cities Boroughs Towns and Townships] Officers of Political Subdivisions Candidates to fill vacancies in the offices of Representative in Congress Senator and Representative in the General Assembly and [member of the council or legislative body of any city borough town or township] officers of political subdivisions shall be nominated by political parties in accordance with the party rules relating to the filling of vacancies by means of nomination certificates in the form prescribed in section 630 of this act and by political bodies by means of nomination papers in accordance with the provisions of sections 951 952 and 954 of this act Said nomination certificates and nomination papers for the office of Representative in Congress shall be filed in the office of the Secretary of the Commonwealth not later than ten (10) days after the issuance of the writ of election and said nomination certificates and nomination papers for the office of Senator and Representative in the General Assembly shall be filed in the office of the Secretary of the Commonwealth and for [the office of member of the council or legislative body of a city borough town or township] any office of a political subdivision in the office of the county board of elections wherein such [city borough town or township] political subdivision is situate not later than the [twentieth] thirtieth (30th) day before the day of the election

Section 636 Certification by Secretary of the Commonwealth of Candidates for Special Elections The Secretary of the Commonwealth shall not later than the [tenth (10th)] twenty-fifth (25th) day next preceding the day fixed for any special election to fill a vacancy in the offices of United States Senator Representative in Congress Senator and Representative in the General Assembly certify to the proper county board or boards of elections the names and residences of and political parties or political bodies represented by all candidates whose nomination certificates or papers have been filed with him as herein provided for such election and have not been found and declared invalid and to be voted for in the county or any district or districts thereof substantially in the form of the ballots to be used therein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Bolton,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tompkins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Musto,	VanSant,
Cioffi,	Jones, Gran'le E.,	Naugle,	Varallo,
Clapper,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Comer,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	Parlante,	Wall,
Conner,	Keller,	Peifly,	Wallace,
Cooper,	Kent,	Peta,	Walsh,
Coyle,	Kerlin,	Petrosky,	Wargo,
Curwood,	Kohl,	Pettigrew,	Waterhouse,
Davis,	Kolankiewicz,	Pfaff,	Weidner,
Dougherty,	Kornick,	Phillips,	Welsh,
Down,	Kratz,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost	Mahan.	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—7

Bomberger,	Kline,	Murray, P. G.,	Worley,
Goodling,	Kromer,	Watkins,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1240, Printer's No. 389

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1295, as follows:

An Act providing for joint action by the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania in developing utilizing controlling and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply authorizing the Governor for these purposes to enter into a compact with the States of New Jersey Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent thereto creating the Delaware River Basin Water Commission and specifying the powers and duties thereof including the power of eminent domain and the power to finance projects by the issuance of bonds providing for the appointment of the Pennsylvania members of the said Commission approving an integrated water project requiring the Commission to prepare and report plans and specifications for specific projects and requiring certain prior approvals by the Legislature of the compacting States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Delaware River Basin Water Commission Compact Approved The Governor is hereby authorized to enter into a compact on behalf of the Commonwealth of Pennsylvania with the States of New Jersey Delaware and New York in substantially the following form that is to say

Compact

Between the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania Creating the Delaware River Basin Water Commission and Defining its Powers and Duties

Whereas The peoples of the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania have a common interest in the waters of the Delaware River Basin and

Whereas It is desirable that the water and water resources of the Delaware River and its tributaries be developed utilized controlled and conserved for the benefit of all the people and

Whereas The United States Supreme Court in its decision in The Delaware River Case (283 U. S. 336) established the principle of equitable apportionment of the waters of the upper Delaware River Basin and

Whereas Political subdivisions and metropolitan areas in the States of New Jersey and New York and the Commonwealth of Pennsylvania have been confronted constantly with the problem of meeting existing and prospective requirements of the people within their respective areas for obtaining and maintaining an adequate and satisfactory supply of water both for domestic and industrial purposes and

Whereas It is essential that there be maintained an adequate minimum flow in the Delaware River for the protection of public health for the benefit of industry and of fisheries such as oysters clams and other shellfish for animal and aquatic life for recreation for general sanitary conditions for the dilution and abatement of pollution and for the prevention of undue salinity and

Whereas For the purpose of promoting interstate cooperation in various fields of governmental operations including the utilization control and conservation of water rsources of interstate river systems the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania each has created and now maintains a Commission (or Committee) on Interstate Cooperation which Commissions have jointly organized and established and are now maintaining in cooperation with each of the others a joint advisory board known as "The Interstate Commission on the Delaware River Basin" for the purpose among other activities of formulating and recommending integrated programs for the development utilization control and conservation of the water resources of the Delaware River Basin and

Whereas Upon the recommendation of the Said Interstate Commission on the Delaware River Basin submitted through the Commission on Interstate Cooperation of each of the States concerned the legislatures of the States of New Jersey and New York and the Commonwealth of Pennsylvania by reciprocal legislation enacted laws at

their 1949 Sessions (New Jersey Laws of 1949 Chap 105 New York Laws of 1949 Chap 610 Pennsylvania Laws of 1949 Act 475) authorizing and directing the said Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed among other purposes to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the said States both within and outside the said Basin empowering such Commission to enter upon lands structures and waters for the purposes of such surveys and investigations making an appropriation to such Commission and requiring a full report of its proceedings findings conclusions recommendations and such draft or drafts of legislation at it may deem necessary or proper for enactment by such States and

Whereas Based upon a full report submitted by the Interstate Commission on the Delaware River Basin setting forth the findings conclusions and recommendations resulting from its surveys and investigations it is the opinion of that Commission concurred in by each of the aforesaid Commisisons on Interstate Cooperation that the future construction of integrated water projects in the Delaware River Basin is feasible advisable and urgently needed and can best be accomplished by and through a joint administrative agency created by an agreement or compact between the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania and

Whereas The Congress of the United States by its Joint Resolution of March 1 1911 (36 Stat 961) relating to the conservation of forests and water supply and protection of forests from fire gave general consent to encourage the making of agreements or compacts between States for the purpose of conserving the forests and the water supply

Now Therefore The Commonwealth of Pennsylvania and the States of New Jersey and New York (and the State of Delaware if and when Delaware becomes a signatory State) do hereby solemnly covenant and agree each with the others as follows

Article I

Creation and Purposes of the Commission

1 There is created hereby a body corporate and politic with perpetual succession to be known as the Delaware River Basin Water Commismsion (hereinafter in this compact referred to as the Commission) which shall constitute a public corporate instrumentality of the Commonwealth of Pennsylvania and of the States of New Jersey and New York (and of the State of Delaware if and when Delaware becomes a signatory State) and of each of them to exercise an essential governmental function of each of the signatory States for the purposes of developing utilizing controlling and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply

(a) to meet the domestic and industrial requirements of political subdivisions and metropolitan areas within those States

(b) to provide an adequate minimum flow in the Delaware River for the protection of public health for the benefit of industry and of fisheries such as oysters clams and other shellfish for animals and aquatic life for recreation for general sanitary conditions for the dilution and abatement of pollution and for the prevention of undue salinity and

(c) to provide in cooperation with other appropriate agencies for such other uses of water as navigation production of hydro-electric power and related uses and for the control of flood waters

2 In order to effectuate the foregoing purposes the Commission shall determine the exact locations and character of formulate plans for and determine all matters in connection with the construction operation and maintenance of dams reservoirs and appurtenant structures within the Delaware River Basin as herein defined for the storage and effective regulation of the water resources thereof and treatment plants aqueducts conduits or other facilities and shall finance construct operate and maintain such structures and facilities as are deemed necessary or convenient to the following projects or a reasonable modification thereof that is to say

(a) a dam across the West Branch of the Delaware River near Canonsville New York

(b) a dam across the Delaware River near Barryville New York

(c) a dam across the Neversink River near Godeffroy New York

(d) an aqueduct connecting the reservoir created by the dam across the Delaware River near Barryville New York with the reservoir on the Neversink River created by a dam near Godeffroy New York

(e) an aqueduct with equalizing reservoir enroute to convey a supply of water from the reservoir on the Neversink River created by the dam near Godeffroy New York to political subdivisions in northern New Jersey and to the City of New York and such dams reservoirs tunnels conduits and other facilities as may comprise any expansion of the aforesaid project or any new project which shall be approved in accordance with the provisions of this compact

The aforesaid project has for its immediate purpose the gathering and storage of such quantities of water during periods of wet weather and high stream flow as will be sufficient to provide during periods of dry weather and low stream flows aggregating as many as 215 days in any calendar year a supply of water of as much as the eqivalent of 930 million gallons a day for the maintenance of an adequate minimum flow in the Delaware River during periods of low flow therein as required by Article IX of this compact and a supply of water of as much as but not more than the equivalent of 465 million gallons a day for the City of New York and political subdivisions in northern New Jersey

3 For the purpose of this compact the "Delaware River Basin" is defined as all that land from which surface water drains naturally into the Delaware River

Article II

Commissioners

1 The Commission shall consist of three members from each signatory State who shall be citizens and residents thereof and shall be appointed by the Governor of that State by and with the consent of its Senate unless the Constitution otherwise provides

2 The term of each such commissioner shall be for five years provided however that the terms of the three commissioners first appointed by each State shall be as follows to wit one for three years one for four years and one for five years All commissioners shall continue to hold office after the expiration of the terms for which they shall have been appointed until their respective succesors shall have been appointed and qualified but no period during which any commissioner shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires

3 Any commissioner may be removed or suspended from office as provided by the Constitution or applicable law of the State which he represents In the event of a vacancy in the office of any commissioner from any reason or cause such vacancy shall be filled by appointment by the Governor of the State concerned subject to confirmation as above provided for the unexpired term

4 The commissioners shall serve without compensation but shall be paid their actual and necessary expenses incurred in and incident to the performance of their duties Provided however That the elected officers of the Commission shall receive such compensation as may be fixed by the Commission

5 The Federal Government may be represented on the

Commission by three advisory members who shall serve without compensation from the Commission The Constitution and other laws of the United States shall apply to the appointment or removal of such advisory members and the term or terms during which they shall serve

Article III

Officers Employes Management and Procedure

1 The commissioners shall have charge of the Commission's property and affairs The Commission shall adopt an official seal and suitable bylaws and shall promulgate rules and regulations for its management and control

2 A majority of the commissioners from the signatory States shall constitute a quorum for the transaction of business at any meeting of the Commission No action shall be taken by the Commission except by a favorable vote of a majority of the commissioners present at such meeting Provided however That no action of the Commission establishing a priority of construction of the project described in paragraph 2 of Article I or any subsequent modification of that priority or affecting any apportionment or allocation of water for water supply shall be binding unless a majority of the commissioners from each of the signatory States shall have voted in favor thereof and provided further that the Commission shall not exercise the right of eminent domain with respect to property already devoted to a public purpose in any signatory State unless a majority of the commissioners from that State shall have voted in favor thereof

3 The Commission shall elect annually a chairman and a vice chairman The Commission shall appoint a secretary and a treasurer who may be but need not be members of the Commission The secretary shall be custodian of the records of the Commission with authority to affix the Commission's official seal and to attest to and certify such records or copies thereof Disbursements by the Commission shall be valid only when authorized by the Commission

4 The commission shall appoint and at its pleasure remove or discharge counsel an executive director engineers and such other agents and employes as it may require for the performance of the powers and functions of the Commission The Commission shall determine and fix the duties and compensation of its appointed officers and employes and shall fix the compensation if any of its elected officers

5 The Commission may establish and maintain one or more offices within the area of the signatory States for the transaction of its business and may meet at any time or place but must meet at least once each year

6 The Commission shall keep accurate accounts of all receipts and disbursements The accounts of the Commission shall be open at any reasonable time for inspection and audit by such representative or representatives of the respective signatory States as may be duly constituted for that purpose and for inspection by others who may be authorized by the Commission The Commission shall have its accounts audited annually by an independent certified accountant or accountants

7 The fiscal year of the Commission shall be the first day of July to the thirtieth day of June inclusive

8 The Commission shall make an annual report to the Governor and the legislature of each signatory State setting forth in detail the operations and transactions conducted by it purusant to this compact and shall make recommendations for any legislative action deemed by it to be advisable including amendments to the statutes of the signatory States which may be deemed necessary to carry out the intent and purpose of this compact

9 No member agent or employe of the Commission shall have a personal interest either directly or indirectly in any contract entered into by the Commission including the sale to the Commission of any real or personal property A violation of this provision shall constitute a misdemeanor and upon trial and conviction shall be punishable in accordance with the laws of the signatory State in which the offense is committed or in the absence of any law providing a penalty for such a misdemeanor by fine or imprisonment or both in the discretion of the Court

10 No member agent or employe of the Commission while acting within the scope of his authority shall be personally liable for any acts performed in the execution of the powers expressly authorized by this compact

Article IV

General Powers

1 For the effectuation of its authorized purposes the Commission is hereby granted and shall have the following powers in addition to such powers as may be provided for elsewhere in this compact to wit

(a) To sue in its own name in Federal and State courts

(b) To acquire own hire use operate and dispose of personal property

(c) To acquire own use and operate real property and interests therein to make improvements thereon and to convey lease or otherwise dispose of any such property no longer necessary for the authorized purposes of the Commission

(d) To grant by lease or otherwise the use of any property or facility owned or controlled by the Commission and to make charges therefor

(e) To exercise the right of eminent domain as provided in Article V of this compact

(f) To borrow money make and issue from time to time negotiable bonds and notes to fund and refund the same and to provide for the rights of the holders of its bonds and notes as provided in Article XIII of this compact

(g) To establish levy and collect without being subject to the supervision or regulation of any commission board bureau or agency of any of the signatory States or political subdivisions thereof such rentals fees or other charges for use of the facilities of or for the services rendered by the Commission and to revise such rentals fees or other charges as may be necessary to assure revenues at least adequate to defray the expenses of operation and maintenance of the said facilities to pay the interest on and principal of any bonds or other obligations of the Commission and to establish any reasonable reserves therefor

(h) To accept such payments appropriations grants gifts loans and other funds properties and services as may be made available to it by the Federal government or any of its agencies by the governments and political subdivisions of the signatory States or by private agencies corporations or individuals

(i) To conduct surveys of dam reservoir treatment plant aqueduct or conduit locations and study subsurface conditions affecting the selection of such locations Members of the Commission and its duly accredited agents engineers contractors and employes may enter upon any lands structures and waters within any of the signatory States for such purposes or whenever it is deemed necessary for any of the purposes authorized by this compact and such entry shall not be deemed a trespass or an entry under any condemnation proceedings which may be then pending In the exercise of this power the Commission shall save harmless the signatory States from and be responsible to any property owner for any damage caused by surveys or by entry on lands or any other damage resulting therefrom and the Commission shall require every contractor or other agency performing work for said Commission to provide security for the faithful performance of any contract with the Commission and to save harmless the Commission and the signatory States from damages caused as aforesaid

(j) To determine the exact locations and character of to formulate plans for and to determine all matters in connection with the construction operation and maintenance of the dams reservoirs and appurtenant structures within the Delaware River Basin for the storage and effective regulation of the water resources thereof

and treatment plants aqueducts conduits or other facilities and to finance construct operate and maintain such structures and facilities as are deemed necessary or convenient to effectuate the project authorized and described in paragraph 2 of Article I of this compact

(k) To prepare upon the request of two or more signatory States or upon its own initiative in appropriate form for submission to the legislatures of the signatory States a report covering plans for and the method of financing of any new project or any expansion of the project authorized and described in paragraph 2 of Article I of this compact and upon approval of such report by the legislatures of the signatory States and upon approval by the appropriate agency or agencies of the State or States of the detailed plans and specifications all in accordance with the provision of Article XI of this compact to finance construct operate and maintain such new or expanded project

(l) To determine and to allocate subject to the provisions of paragraph 2 of Article III of this compact to each of the signatory States an equitable apportionment of available water supply in order to meet domestic and industrial requirements of political subdivisions and metropolitan areas therein

(m) To release subject to the provisions of Article IX of this compact the quantity of water required to be released from storage in order to maintain an adequate minimum flow in the Delaware River during periods of low flow therein for the protection of public health for the benefit of industry and of fisheries such as oysters clams and other shellfish for animal and aquatic life for recreation for general sanitary conditions for the dilution and abatement of pollution and for the prevention of undue salinity

(n) To provide in cooperation with other appropriate agencies for such other uses of the water and water resources of the Delaware River Basin as navigation production of hydro-electric power and related uses and for the control of flood waters

(o) To develop or to provide for the development of subject to the provisions of Article X of this compact hydro-electric power and energy inherent in the development and use of the waters to which this compact relates and incident to the control and conservation of such waters

(p) To make enter into and perform contracts with the Federal government with any of the signatory States or any of their political subdivisions with public or private agencies and with corporations or individuals including (1) contracts for the sale of water for water supply (2) contracts for the sale of falling water and hydro-electric power and energy subject to the provisions of Article X of this compact (3) contracts for payments by the signatory States or the political subdivisions thereof for benefits resulting from water released from storage in order to maintain an adequate minimum flow in the Delaware River during periods of low flow therein and (4) any other contracts necessary or incidental to the performance of its duties and the execution of its powers under this compact

(q) To take all measures necessary to guard and protect the areas in which its facilities or developments are located or in which any work of construction under authority of this compact is in progress and to protect its facilities and developments from damage by pollution or otherwise and to appoint as guards for such purposes such number of persons as may be necessary or convenient Each of such persons prior to such appointment shall have duly qualified to exercise the power and authority of a constable a peace officer or a police officer in accordance with the applicable laws of the signatory State or States in which he is to serve as a guard and when so qualified and appointed shall have full power and authority to enforce the provisions of such laws as are applicable to the purposes of this paragraph

(r) To do all acts and things necessary or convenient to carry out the powers expressly granted in this compact

Article V

Condemnation Proceedings

1 The Commission shall have the power to acquire by condemnation lands lands lying under water rights in land riparian rights water rights waters and other property within the Delaware River Basin as defined herein or required for aqueducts or conduits deemed necessary or convenient to effectuate the structures and facilities described in paragraph 2 of Article I of this compact or any expansion of such project or any new project approved in accordance with the provisions of Article XI of this compact Provided however That the acquisition of any such property by the Commission is required to serve the public interest This grant of the power of eminent domain includes but is not limited to the power to condemn property within the Delaware River Basin as defined herein owned or held by a political subdivision for municipal or public purposes by a public district by a public corporation or by a public authority and includes as well the power to condemn any property already devoted to a public purpose by whomsoever owned or held other than property owned or held by the signatory States

2 Such power shall be exercised in accordance with the provisions of such special law specifically applicable to the said Commission as may now or hereafter be in force in the signatory State in which such property is located provided that if there be no such special law in force in such State condemnation proceedings shall be in accordance with the provisions of such applicable general condemnation law as may be in force in such State

3 Any award or compensation for the taking of property pursuant to this Article shall be paid by the Commission and none of the signatory States nor any agency instrumentality or political subdivision thereof shall be liable for such award or compensation

Article VI

Conveyance Of Lands And Relocation Of Public Facilities

1 The signatory States hereby consent to the acquisition use and occupation by the Commission pursuant to the laws of the respective States of any real property within the said States or any of them including lands lying under waters and lands already devoted to public use which may be or may become necessary or convenient for the construction operation and maintenance of dams reservoirs treatment plants aqueducts conduits and other structures or facilities approved in accordance with the provisions of this compact

2 The signatory States hereby authorize their respective officers agencies departments commissions or bodies having jurisdiction and control over real property owned by the signatory States to convey in accordance with the laws of the respective States to the Commission with or without consideration any such real property as may be necessary or convenient to the effectuation of the authorized purposes of the Commission

3 Each political subdivision of each of the signatory States is hereby authorized and empowered notwithstanding any contrary provision of law to grant and convey to the Commission upon the Commission's request but not otherwise upon reasonable terms and conditions any real property owned by such political subdivision including lands lying under water and lands already devoted to public use which may be necessary or convenient to the effectuation of the authorized purposes of the Commission

4 The term "real property" as used in this compact shall include any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damage to real property

5 Any highway sewer public utility or other public facility which will be dislocated by reason of the constructions deemed necessary by the Commission to effectuate the authorized purposes of this compact shall be

relocated providing that such relocation be required to serve the public interest in the manner provided for by the laws of the respective signatory States at the expense of the Commission

Article VII

Taxes and Payments in Lieu of Taxes

1 The effectuation of its authorized purposes by the Commission is and will be in all respects for the benefit of the people of the signatory States and since the Commission will be performing essential governmental functions in effectuating said purposes the bonds or other securities or obligations issued by the Commission and the income therefrom or any profit made on the sale thereof shall be exempt from all taxation by or within each of the signatory States except for transfer and inheritance taxes

2 Lands acquired by the Commission for the purposes of this compact shall be taxable in the tax districts wherein such lands are located at the average value thereof as improved on the date of acquisition Such average value shall be determined on the basis of computation of the average assessed value of such lands as improved for the five-year period immediately prior to such date of acquisition The assessed value of such land shall be reviewed by the taxing authority at the end of each five-year period after the date of acquisition and such assessed valuation shall be increased or decreased percentage-wise as the average assessed valuation of all the other property in the tax district has increased or decreased in such five-year period However none of the dams reservoirs treatment plants aqueducts conduits or other structures or facilities or their appurtenances to be built in accordance with the authority conferred by this compact shall be taxable nor shall the assessed value of the lands upon which such structures are built be increased by reason of their presence thereon

3 Notwithstanding the provisions of the last preceding paragraph the Commission is hereby authorized and empowered to enter into agreements with political subdivisions of the signatory States to pay a fair and reasonable sum or sums to the said political subdivisions in lieu of taxes which otherwise would be levied and collected with respect to any property hereafter acquired by the Commission Any such payment or payments made by the Commission may be paid on an annual basis or such payment or payments may be made in a lump sum or sums or over a stated period of years as shall be agreed upon by and between the Commission and such political subdivisions Provided however That in any case the payment or payments shall not be in excess of the amount of the taxes upon such property when last assessed prior to the time of its acquisition by the Commission Every political subdivision wherein property shall be acquired by the Commission is authorized and empowered to enter into such agreement or agreements with the Commission to accept such payment or payments

Article VIII

Contracts for Water Supply

1 The term "political subdivision" as used in this Article shall mean and include in addition to its usual meaning water districts water supply districts and any other public authorities public corporations commissions or bodies having power to own acquire or contract for a public water supply

2 Political subdivisions of the signatory States either directly or through any board of water commissioners district water supply commissioners or any other board commission or public authority having jurisdiction or control over all or any part of a water supply or distribution system may enter into contracts for the supplying of water by the Commission and the payment of any fees or other charges to the Commission Any such contract may be made for a specified or an unlimited time notwithstanding any other provision of law general or special or any terms and conditions which may be approved by the political subdivision and which may be agreed to by the Commission and such contracts shall be valid and binding upon the political subdivision notwithstanding that no appropriation has been made or provided to cover the cost or estimated cost of the contract

3 Such political subdivision is hereby authorized and directed to do and perform any and all acts or things necessary convenient or desirable to carry out and perform every such contract and to provide for the payment of any obligations thereunder in the same manner as other obligations of such political subdivision Each political subdivision shall pay promptly to the Commission all fees and other charges due the Commission

Article IX

Release of Stored Waters

1 No signatory State shall permit the flow in the Delaware River to be diminished by the diversion of any water from the main channel of the Delaware River during any period in which waters are being released from storage reservoirs constructed under the provisions of this compact for the purpose of maintaining an adequate minimum flow in the Delaware River during the periods of low flow therein except in cases where such diversion shall have been duly authorized under the provisions of this compact

2 The Commission shall release water from storage for the purpose of maintaining an adequate minimum flow in the Delaware River during periods of low flow therein in accordance with the following provisions

(a) Upon and after completion of a storage reservoir on the West Branch of the Delaware River near Cannonsville New York sufficient water shall be released from the aforesaid reservoir to maintain a minimum flow in the Delaware River as measured at the stream gaging station at Montague New Jersey of at least one thousand eight hundred (1800) cubic feet per second

(b) Upon and after completion of storage reservoirs on the West Branch of the Delaware River near Cannonsville New York on the main channel of the Delaware River near Barryville New York and on the Neversink River near Godeffroy New York sufficient water shall be released from the system consisting of the three aforesaid reservoirs to maintain a minimum flow in the Delaware River as measured at the stream gaging station at Montague New Jersey of at least two thousand eight hundred (2800) cubic feet per second

(c) In cases where the flow at the stream gaging station at Montague New Jersey is increased or diminished as the result of the placing in operation after the year 1950 of dams and/or reservoirs on tributaries of the Delaware River constructed by an agency other than the Commission the quantity of water required to be released from storage by the Commission in order to maintain the minimum flows specified in paragraphs (a) and (b) above shall be the same as the quantity which would have been required if such dams and/or reservoirs had not been placed in operation

Article X

Hydro-Electric Power and Energy

In the exercise of its power to develop or to provide for the development of hydro-electric power and energy no water shall be used in addition to the water which would otherwise be developed and used by the Commission for water supply and for water required to be released from storage in order to maintain an adequate minimum flow in the Delaware River during periods of low flow therein The Commission shall not engage in the transmission and distribution of power and energy except for its own use

Article XI

Formulation and Approval of Plans

1 Upon the request of two or more signatory States or upon its own initiative the Commission shall prepare in appropriate form for submission to the legislatures of the signatory States a report covering plans for and the

method of financing any new project or any expansion of the project authorized and described in paragraph 2 of Article I of this compact for the construction operation and maintenance of such dams reservoirs and appurtenant structures within the Delaware River Basin and such treatment plants aqueducts conduits and other facilities as may be required to effectuate the purposes of this compact

2 Prior to the submission of any such report to the legislatures of the signatory States the Commission shall

(a) Conduct investigations in such manner as to give appropriate consideration and weight to the interrelation of the proposed project with projects and programs of other agencies public and private federal interstate state and local concerning the development utilization control and conservation of the water resources of the Delaware River Basin

(b) Transmit a copy of its tentative draft of a report concerning any proposed project to the following agencies or their respective successors for the purpose of affording such agencies an opportunity to submit to the Commission within ninety days from the date of receipt of such tentative draft written statements of their views and recommendations regarding any such project Water Pollution Control Commission of the State of Delaware Division of Water Policy and Supply of the State of New Jersey Water Power and Control Commission of the State of New York Water and Power Resources Board of the Commonwealth of Pennsylvania and the Interstate Commission on the Delaware River Basin Representatives of each of the aforesaid agencies may in order to analyze and appraise any project proposed by the Commission created by this compact enter upon any lands structures and waters within the States in which the Delaware River Basin is located for the purpose of surveying dam reservoir treatment plant aqueduct or conduit locations studying subsurface conditions affecting the selection of such locations and for such other purposes as may be deemed necessary.

(c) Include in its report for submission to the legislatures of the signatory States the statements of views and recommendations if any of the aforesaid agencies

3 The report prepared after compliance with the procedures hereinbefore provided shall be submitted by the Commission to the legislatures of the signatory States The Commission shall have authority to proceed with the project proposed in the said report when such report has been approved by the legislatures of all of the signatory States or by the legislatures of the States of New Jersey and New York and the Commonwealth of Pennsylvania

4 Prior to proceeding with any construction which is a part of the project authorized and described in paragraph 2 of Article I of this compact or of any authorized expansion thereof or of any authorized new project the Commission shall submit detailed plans and specifications for the construction of any structure or part thereof to and secure the approval of the appropriate agency or agencies of the State or States within which such construction is necessary as a part of the said project

Article XII

Grants Loans or Payments

by States or Political Subdivisions

1 Any or all of the signatory States or any political subdivisions thereof may after appropriate legislative authorization for that purpose

(a) Appropriate to the Commission such funds as may be necessary to pay preliminary expenses such as the expenses incurred in the making of borings and other studies of sub-surface conditions in the preparation of contracts for the sale of water and in the preparation of detailed plans and estimates required for the financing of a construction project

(b) advance to the Commission either as grants or loans such funds as may be necessary or convenient to finance the operation and management of or construction by the Commission

(c) make payments to the Commission for benefits received or to be received from the operation of any of the structures or facilities of the Commission

2 Any fund which may be loaned to the Commission either by a signatory State or a political subdivision thereof shall be repaid by the Commission through the issuance of bonds or out of other income of the Commission such repayment to be made within such period and upon such terms as may be agreed upon between the Commission and the State or political subdivision making the loan

Article XIII

Financing

1 The Commission shall have power and is hereby authorized from time to time to issue its negotiable bonds for any of its authorized purposes to issue its bonds to refund bonds issued by it to issue its negotiable notes in anticipation of bonds and to pay its bonds and notes from revenues of the Commission and the proceeds of its bonds and other moneys of the Commission as the resolution authorizing the issuance may provide

(a) Refunding bonds may be issued partially to refund bonds then outstanding and partially for any other of its authorized purposes Refunding bonds may be issued whenever the Commission deems expedient whether the bonds to be refunded have or have not matured and may be exchanged for the bonds to be refunded with such cash adjustments as may be agreed or may be sold before the bonds to be refunded become due and the proceeds applied to the purchase redemption or payment of the bonds to be refunded including interest accrued and any redemption premiums payable thereon

(b) Except as may be otherwise expressly provided by the Commission every issue of bonds shall be general obligations payable out of any moneys or revenues of the Commission subject only to any agreements with the holders of any bonds pledging any moneys or revenues

(c) Whether or not bonds or notes issued by the Commission are of such form and character as to be negotiable instruments such bonds or notes shall be fully negotiable within the meaning and for all the purposes of the Negotiable Instruments Law subject only to any provisions of the bonds for registration

(d) The Commission may issue temporary bonds with or without coupons pending the preparation of definitive bonds exchangeable for definitive bonds

(e) Bonds shall be authorized by resolutions of the Commission and shall bear such date or dates mature at such time or times bear interest at such rate or rates not exceeding six per centum (6%) per annum be in such denominations be in such form either coupon or registered carry such registration privileges be executed in such manner be payable in such medium of payment and at such place or places and be subject to such terms of redemptons with or without premium as such resolution or resolutions may provide The official seal of the Commission or a fascimile thereof shall be impressed engraved or otherwise reproduced on each bond or note and be attested by the Secretary or by such other officer or agent as the Commission shall appoint and authorize If any officer or authorized agent whose signature or a facsimile thereof shall appear on any bonds coupons or notes shall cease to be such officer or authorized agent before the delivery of the bonds or notes such signature or such facsimile signature shall be valid and sufficient for all purposes the same as if he had continued in office until such delivery Bonds may be sold at public or private sale for such price or prices as the Commission shall determine

(f) Any resolution of the Commission authorizing the issuance of bonds may appoint a trustee or trustees a fiscal agent or fiscal agents a paying agent or paying agents and such other fiduciaries as such resolution may provide Any trustee fiscal agent paying agent and other fiduciary so appointed may be any trust company or bank having the powers of a trust company within any one of the signatory States

(g) In order to secure the payment of its bonds the Commission shall have power in the resolution authorizing the issuance of the bonds (which shall be deemed a contract with the bondholders)

(1) to pledge all or any part of its revenues to which its right then exists or may thereafter come into existence and the moneys derived therefrom and the proceeds of bonds

(2) to covenant against pledging all or any part of its revenues or against mortgaging all or any part of its real or personal property then owned or thereafter acquired or against permitting or suffering any lien on such revenues or property to covenant with respect to limitations on its right to sell lease or otherwise dispose of any kind or any part thereof or any property of any kind

(3) to covenant as to the bonds to be issued and the limitations thereon and the terms and conditions thereof and as to the custody application and disposition of the proceeds thereof and to covenant as to the issuance of additional bonds or as to limitations on the issuance of additional bonds and on the incurring of other debts by it

(4) to provide for the replacement of lost destroyed or mutilated bonds

(5) to provide for the investment of all or a part of its funds on deposit with the trustee or other fiduciary in such obligations as the resolution authorizing the issuance of the bonds may provide

(6) to covenant against extending the time for the payment of bonds or interest thereon to covenant as to the redemption premiums and other terms and conditions thereof

(7) to covenant as to the payment of the principal of or interest on the bonds or any other obligations as to the sources and methods of such payment as to the rank or priority of any such bonds or obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or obligations

(8) to covenant as to the rates of fees or other charges to be established and to be charged and the amount to be raised each year or other period of time by such charges or other revenues and as to the use and disposition to be made thereof to create or authorize the creation of special funds or moneys to be held in pledge or otherwise for construction operating expense payment or redemption of bonds reserves or other purposes and to covenant as to the use and disposition of the moneys held in such funds

(9) to establish the procedure if any by which the terms of any contract or covenant with or for the benefit of the bondholders may be amended or abrogated the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given

(10) to covenant as to the maintenance of its real and personal property the replacement thereof the insurance to be carried thereon and the use and disposition of insurance moneys

(11) to provide for the rights and liabilities powers and duties arising upon the breach of any covenant condition or obligation to prescribe the events of default and the terms and conditions upon which any or all of the bonds shall become or may be declared due and payable before maturity and the terms and conditions upon which any such declaration and its consequences may be waived

(12) to vest in a trustee or trustees such property rights powers and duties in trust for the bondholders as the Commission may determine which may include any or all of the rights powers and duties of the statutory trustee appointed by the holders of bonds pursuant to subparagraph (a) of paragraph 2 of this Article to limit or abrogate the rights of the holders of such bonds to appoint such statutory trustee or to limit the rights duties and powers of such statutory trustee

(13) to limit the rights of the bondholders to enforce any pledge or covenant securing the bonds and

(14) to make covenants other than and in addition to the covenants herein expressly authorized of like or different character and to make such covenants to do or refrain from doing such acts and things as may be necessary or convenient or desirable in order to better secure the bonds or which in the absolute discretion of the Commission will tend to make the bonds more marketable notwithstanding that such covenants acts or things may not be enumerated herein

(h) Any pledge of revenues or other moneys made by the Commission shall be valid and binding from the time when the pledge is made the revenues or other moneys so pledged and thereafter received by the Commission shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort contract or otherwise against the Commission irrespective of whether such parties have notice thereof Neither the resolution nor any other instrument by which a pledge is created need be filed or recorded except in the records of the Commission

(i) Bonds may be issued under the provisions of this compact without obtaining the consent of any department division commission board bureau or agency of any of the signatory States and without any other proceedings or the happening of any other conditions or things than those proceedings conditions or things which are specifically required by this compact

(j) The Commission shall not have power to mortgage real property

(k) Moneys of the Commission or moneys held in pledge or otherwise for the payment of bonds or in any way to secure bonds and the deposits of such moneys may be secured in such manner as the Commission may require and all banks and trust companies in each of the signatory States are authorized to give such security therefor

(l) Neither the members of the Commission or any person executing the bonds shall be liable personally on the bonds or be subject to any personal liability or account or accountability by reason of the issuance thereof

(m) The Commission shall have the power to purchase its bonds out of any funds available therefor The Commission may refund or it may hold cancel or resell such bonds subject to and in accordance with agreements with bondholders

2 The following provisions shall be applicable to an issue of bonds authorized or issued by the Commission only if the resolution of the Commission authorizing or providing for the issuance of such bonds shall provide in substance that the holders of the bonds of such issue shall be entitled to the benefits and be subject to the provisions of this paragraph 2

(a) In the event that there shall be a default in the payment of principal of or interest on any bonds of such issue after the same shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Commission shall fail or refuse to comply with the provisions of this compact or shall fail or refuse to carry out and perform the terms of any contract or covenant with or for the benefits of the holders of any of such bonds and such failure or refusal shall continue for a period of thirty days after written notice by any holder of bonds of such issue or by a trustee for bondholders to the Commission of its existence and nature the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such issue then outstanding by instrument or instruments filed in the office of the Secretary of State of each signatory State and proved or acknowledged in the same manner as a deed to be recorded may appoint a statutory trustee to represent the holders of the bonds of such issue for the purposes provided in this paragraph 2

(b) Such statutory trustee may and upon written request of the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such issue then outstanding shall in his or its own name

(1) by civil action or suit enforce all rights of the holders of such bonds including the right to require the Commission to charge and collect revenues adequate to carry out any contract as to or pledge of such charges

and revenues and to require the Commission to carry out and perform the terms of any contract or covenant with or for the benefit of the holders of such bonds or its duties under this compact

(2) bring action or suit upon all or any part of such bonds or interest coupons or claims appurtenant thereto

(3) by action or suit require the Commission to account as if it were the trustee of an express trust for the holders of such bonds

(4) by action or suit enjoin any acts or things which may be unlawful or in violation of the covenants of the Commission or the rights of the holders of such bonds or

(5) declare all such bonds due and payable whether or not in advance of maturity upon thirty days' prior notice in writing to the Commission and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (25%) of the principal amount of such bonds then outstanding annual such declaration and its consequences

(c) Before declaring the principal of all such bonds due and payable the statutory trustee shall first give thirty days' notice in writing to the Commission

(d) Any such statutory trustee whether or not the issue of bonds represented by such trustee has been declared due and payable shall be entitled as of rights to the appointment of a receiver of any part or parts of the property of the Commission the revenues derived from which property are pledged for the security of the bonds of such issue and such receiver may enter and take possession of such part or parts of such property and subject to any pledge or agreement with bondholders shall take possession of all moneys and other property derived from or applicable to the construction operation maintenance and reconstruction of such part or parts of such property and proceed with any construction thereon which the Commission is under obligation to do and to operate maintain and reconstruct such part or parts of the property and collect and receive all revenues thereafter arising therefrom subject to any pledge thereof or agreement with bondholders relating thereto and perform the public duties and carry out the agreements and obligations of the Commission under the direction of the court In any suit action or proceeding by the statutory trustee the fees counsel fees and expenses of the said trustee and of the receiver if any shall constitute taxable disbursement and all costs and disbursements allowed by the court shall be a first charge on any revenues derived from such property

(e) Such statutory trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any function specifically set forth herein or incident to the general representation of bondholders in the enforcement and projection of their rights

3 Notes issued in anticipation of bonds shall be paid from any moneys of the Commission available therefor and not otherwise pledged or from the proceeds of sale of the bonds of the Commission in anticipation of which they were issued The notes shall be issued and sold in the same manner as the bonds and such notes and the resolution or resolutions authorizing the same may contain any provisions conditions or limitations which the bonds or bond resolution of the Commission may contain Such notes shall be as fully negotiable as the bonds of the Commission

4 Bonds issued by the Commission under the provisions of this compact are hereby made securities in which any signatory State and all political sub-divisions thereof their officers boards commissions departments or other agencies all banks bankers savings banks trust companies savings and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees committees of the properties of incompetent persons and other fiduciaries and all other persons whatsoever who now are or may hereafter be authorized to invest in bonds or other obligations of any signatory State may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of any signatory State for any purpose for which the deposit or bonds or other obligations of such State is now or may hereafter be authorized by law

5 Each of the signatory States hereby pledges to and agrees with the holders of the bonds and notes issued in accordance with the provisions of this compact that such State will not limit or restrict the rights hereby vested in the Commission to maintain construct reconstruct and operate any project as defined in this compact or to establish and collect such rents fees receipts or other charges as may be convenient or necessary to produce sufficient revenues to meet the expenses of maintenance and operation thereof and to fulfill the terms of any agreements made with the holders of bonds authorized by this compact or in any way impair the rights or remedies of the holders of such bonds until the bonds together with interest thereon are fully paid and discharged

Article XIV

Credit of Signatory States Not Pledged

Bonds or notes issued under the provisions of this compact shall not be deemed to constitute a debt or liability of any of the signatory States or of any political subdivision thereof or a pledge of the faith and credit of any of the signatory States or of any such political subdivision All such bonds or notes shall contain on the face thereof a statement to the effect that none of the signatory States nor any political subdivision thereof is obligated to pay the same or the interest thereon and that neither the faith and credit nor the taxing power of any signatory State or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds

Article XV

Non-Impairment of State Powers

1 Nothing in this compact shall be construed as impairing the powers of any signatory State to develop improve utilize control or conserve the water resources of the upper Delaware River Basin within the boundaries of such State Provided however That the exercise of such powers by said State shall not conflict with the power of the Commission established by this compact with respect to those water resources authorized to be developed improved utilized controlled or conserved by such Commission

2 Nothing in this compact shall be deemed to authorize the taking in any signatory State of a supply of water from the Commission unless and until all of the laws of that State have been complied with and the approval of such taking has been secured from the appropriate agency or agencies of said State having jurisdiction over the taking of water supplies

Article XVI

Existing Rights and Compacts

1 Nothing in this compact shall be deemed to affect any right of the States of New Jersey and New York the Commonwealth of Pennsylvania and the City of New York or any of them granted or reserved by or pursuant to the decision of the United States Supreme Court in New Jersey versus New York et al (283 U S 336) or the jurisdiction specifically retained by the United States Supreme Court with respect to the subject matter of the said decision or any modification thereof by that Court

2 Nothing in any existing compact between any two or more of the signatory States shall be impaired or invalidated by any of the provisions of this compact

3 Nothing in this compact shall be construed as impairing

the right of any signatory State under the provisions of section 2 of Article III of the Constitution of the United States to have recourse to the original jurisdiction of the United States Supreme Court for the determination of any controversy which may arise involving a question concerning the interpretation of any provision of this compact or involving a question concerning the exercise by the Commission of powers which may be deemed to be in excess of its authority under this compact or in derogation of sovereign powers of the signatory States or any of them or any other controversy

Article XVII

Construction and Severability

The provisions of this compact or of agreements thereunder shall be severable and if any phrase clause sentence or provision of this compact or such agreement is declared to be unconstitutional or the applicability thereof to any State agency or person is held invalid the constitutionality of the remainder of this compact or such agreement and the applicability thereof to any other State agency person or circumstance shall not be affected thereby It is the legislative intent that the provisions of this compact be reasonably and liberally construed

Article XVIII

Effective Date

1 This compact shall enter into force and become effective and binding between the States of New Jersey and New York and the Commonwealth of Pennsylvania when (a) it has been adopted and enacted into law by the respective legislatures of the said States and Commonwealth and (b) it has been signed by the respective Governors of the said States and Commonwealth after authorization therefore by their respective legislatures and has been attested by the Secretary of the State of each of said States and Commonwealth and the Seal of each of said States and Commonwealth has been affixed thereto and (c) the Congress of the United States of America has consented thereto

2 This compact shall become effective and binding with respect to the State of Delaware either at the same time it becomes effective and binding between the States of New Jersey and New York and the Commonwealth of Pennsylvania as provided in the first paragraph of this Article or at any time thereafter when (a) it has been adopted and enacted into law by the legislature of the State of Delaware and (b) it has been signed by the Governor of the State of Delaware after authorization therefore by the legislature thereof and has been attested by the Secretary of State of the State and the Seal of that State has been affixed thereto

(3) This compact shall be signed attested and sealed in five originals one original to be forwarded to the Governor of each signatory State for filing in accordance with the laws of that State and one original to be deposited in the archives of the Commission upon its establishment

In Witness Whereof and in evidence of the adoption and enactment into law of this compact by the legislature of the respective States the respective Governors of the signatory States do hereby in accordance with authority conferred by the legislatures of their rspective States sign this compact in five originals as attested by the respective Secretaries of State of the said States and have caused the respective Seals of the said States to be here unto affixed this .....day of .....19..

Section 2 Force and Effect of the Compact Upon its signature by the respective Governors on behalf of at least the States of New Jersey and New York and by the Governor on behalf of the Commonwealth of Pennsylvania and upon the attestation thereof by the Secretary of State of each of the signatory States and Commonwealth and the affixing thereto of the Seal of each of the said States and Commonwealth the aforesaid compact which may be known and cited as "The Delaware Basin Compact" shall be and become binding and shall have the force and effect of a statute of the Commonwealth of Pennsylvania The Delaware River Basin Water Commission shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained in said compact as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under said compact The Governor shall transmit an original signed copy thereof to the Secretary of State of the Commonwealth of Pennsylvania for filing in his office

Section 3 Consent of the Congress The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to and approval of the aforesaid compact In the absence of such consent and approval the Delaware River Basin Water Commission shall have all of the powers which the Commonwealth of Pennsylvania and the States of New Jersey and New York (and the State of Delaware if and when it becomes a signatory State) may confer upon it without the consent and approval of the Congress

Section 4 Acquisition of Property by Condemnation Proceedings In the exercise of its power to acquire by condemnation lands lands lying under water rights in land riparian rights water rights waters and other property in the Commonwealth of Pennsylvania which may be necessary or convenient to the effectuation of its authorized purposes whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the Commission shall make application to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any of such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the free holders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten (10) days' personal notice of the time and place of such meeting to be given to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such property and to that end may reqiure the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the property they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the Commission and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty (30) days after the filing of the report in the court the Commission or any person

interested may file exceptions thereto whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties as the former viewers Within thirty (30) days after final action on the report by the court the Commission or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the Commission shall be taken in the name of the Commission

Whenever the Commission decides to acquire any property by condemnation as hereinbefore provided the Commission shal lhave the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the Commission may proceed to obtain possession in the manner now provided by law

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, I would like to have one of the sponsors of this bill explain the bill.

Mr. ANDREWS. Mr. Speaker, just what in particular does the gentleman desire to know?

The SPEAKER. Will the gentleman from Delaware tell the gentleman from Cambria, what he would like to know about House Bill No. 1295, Printer's No. 353?

Mr. LIPPINCOTT. I would like to know the general purpose of the bill and what the bill does.

Mr. ANDREWS. Mr. Speaker, the purpose of the bill is stated on page 3.

The purpose of the bill is part of the program of the organization formed some years ago, known as Incodel. The purpose of Incodel was to secure among other things a compact between the Commonwealth of Pennsylvania, the State of New York, the State of New Jersey and the State of Delaware, concerning the ways in which the waters of the Delaware River Basin could be utilized best in the public interest, and how best to conserve the water supply in that basin.

The bill states that the purpose is aimed to meet the domestic and industrial requirements of political subdivisions and metropolitan areas within these states; to provide an adequate minimum flow in the Delaware River for the protection of public health, and for the benefit of industry. Also to provide in cooperation with other appropriate agencies for such other uses of water as navigation, production of hydro-electric power and related uses and for the control of flood waters.

There has already been negotiated a compact between the three states. However, Pennsylvania desires to modify that compact. In order to assure ratification of the contract by the Federal Congress, it is necessary that the agreements be identical.

Therefore in this bill, Pennsylvania is restating its purposes to the end that next year, when the Legislatures of the other states convene, they can pass upon the stipulations carried in House Bill 1295.

The bill roughly provides for the creation of three dams in the New York State Delaware River Basin. And incidentally will flood some sixteen thousand acres. And for another dam near Delaware Water Gap that will flood about six hundred acres. The engineers say that these dams will make it possible to maintain a regulated flow in the Delaware River during dry seasons, which is one of the fundamental purposes.

That roughly is the purpose of the bill.

Mr. LIPPINCOTT. Mr. Speaker, I would like to ask the Minority Leader if there are any estimates of the expense to the Commonwealth that will be incurred as the result of the adoption of this bill?

Mr. ANDREWS. Mr Speaker, the bill specifically provides that the Commission which will function if the pact is ratified, cannot in any way pledge the faith and credit of the Commonwealth of Pennsylvania.

Mr. LIPPINCOTT. One further question. Mr. Speaker, has any estimate been made of the effect of the proposed dams on the salinity of the lower parts of the Delaware River?

Mr. ANDREWS. I did not get that one dictionary word.

Mr. LIPPINCOTT. Is there any estimate, to rephrase the question, of the effect of the proposed dams on the salt content of the lower reaches of the Delaware River?

Mr. ANDREWS. That is a question that I could not answer. I have not read the experts' report, but my judgment would be that the regulated flow of fresh water would in some way moderate the saltiness of a marsh district.

The purpose is to have a year round regulated flow, to have a certain fixed stipulated level.

Mr. LIPPINCOTT. Does the gentleman know whether the engineers estimate that a larger amount of salt will be in the water during the dry seasons in the lower part of the Delaware River?

Mr. ANDREWS. Again I would say that if you have more fresh water coming down as a result of the impounding dams than you would have if you did not have the impounding dams, there would not be as much salt in the lower regions.

Mr. BRETH. Mr. Speaker, this bill has tremendous and far-reaching results if it finally passes. We are monkeying with water and a tremendous watershed. In this country the authorities who know water predict that we will all be needing and wanting water within a half century, and no one will predict what our demands for water will be a hundred years from now.

Out on the Pacific coast some of you Members are familiar with the struggle going on out there for the water supply from the Rocky Mountains.

It is my personal opinion that this Incodel situation should be entered upon with fear and trembling. As it is now, New York City is fighting for water. A few years ago if you will remember her reservoirs on account of drought conditions went very low. Fortunately they refilled, but if the drought condition had continued for another year or so no one could say what the situation in New York would be.

Today in the southwest of the United States the drought conditions are alarming. They will tend to get worse, and if there is as little improvement over the rest of this summer, you can look for dust-bowl conditions this Fall.

I am no expert. I do not intend to speak as if I am fully informed or know all the angles to the Incodel plan, but I do have here before me the report of the Pennsylvania Water Resources Committee which was authorized by this Legislature. This report points out several things which I think the Members of this House would do well to consider before passing this bill.

Under a Supreme Court decision New York is now taking 440 million gallons of water a day from the upper Delaware River Basin, by action of the Supreme Court, and they were permitted to take that because of a Master's decree that anything more taken from the upper Delaware would threaten the communities in the lower part of the Delaware watershed, which means primarily Philadelphia.

Under this Incodel plan, it is proposed to release an extra 465 million gallons of water per day in addition to the 440 million now going to New York. The Incodel report states that within the next 30 years northern New Jersey and New York City will need even an additional 465 million gallons of water, which would bring the total extra to 930 million, in addition to the 440 million gallons of water per day.

There are several things in this bill that the Water Resources Committee points out which are merely human angles. One of them says, "Remember that any water taken from the Delaware River for New York and northern New Jersey will be what is known as total diversion rather than partial diversion." It means not a drop of the 1,370 million gallons of water a day will ever find its way back into the Delaware watershed.

Also, another provision of this Incodel plan is that after the pact is finally ratified by the states, the four states or the three states, it could only be changed by a majority vote of all the Commissioners of each state, and each state is supposed to have three commissioners. So any two commissioners from any state could block any future plans to change the pact as it would be originally set up. That would mean that in the case of a prolonged drought, suppose our Pennsylvania communities really needed the water, suppose the tidal waters of the sea were backing up into the Delaware Bay, and caused this salinity, which means simply the mixing of sea water with fresh water and the fact that artesan wells go down and tap the underground water table instead of pulling up fresh water would pull up salt water—that is happening in the Chesapeake Bay regions right now. Such things, I believe, we as Members of this House cannot foresee sufficiently clear to give away any right which we might have in the total water resources of the Delaware River Basin.

If we in the future face drought conditions in our Eastern areas, we would be forced under the provisions of this pact, if Incodel did not entirely go along with our plea for more water, we would be forced at our own expense to build our own dam below the dams which were built and would be built under this plan.

I can see nothing of any tremendous import which would force us at this time to enter into such a far-reaching pact because one of the provisions in this pact is that it shall be perpetual, and once we are in it, we will never get out of it.

Furthermore, the State of New York has passed legislation, that provides that the maintenance of an adequate minimum flow to any signatory state shall be binding. That means that New York is allowed to get 1,370 million gallons of water a day. It will be binding upon all the states unless the majority of the members of the Commission from each state shall vote in favor of a change—and here is the important part in the New York bill—"and unless the Governor of the State shall have an opportunity to either approve or veto the proposed change," which means simply that we are placing our future water resources in the hands of one man and giving the Governor of Delaware, New Jersey, or New York a full and complete veto power over any future use that we might want to make of the Delaware River Water Basin.

I think we should tread softly; we should move slowly. I do not believe the 208 Members of this House are of themselves even familiar with many of the provisions of this bill, and I think at this time we should not pass it.

I might add that the Pennsylvania Federation of Sportsmen's Clubs has for years debated and considered all angles of the Incodel plan, and year after year in its conventions the Pennsylvania Federation of Sportsmen's Clubs has refused to endorse it. Moreover, they definitely oppose ths bill as it is now printed and before us.

Mr. AUKER. Mr. Speaker, I wish to make a brief comment on the bill.

First I would like to make a brief comment on the remarks of the gentleman from Clearfield, Mr. Breth, when he states that the State Sportsmen Association—the State Association of Sportsmen Clubs are against the bill. That would lead me to be for the bill, for I believe that past experience has shown that group to be motivated mainly by political purposes and reasons and outlines and ends, and in the very great majority of instances they have been proven wrong.

Second, very, very briefly, I think there is too much "ink" in the bill.

PARLIAMENTARY INQUIRY

Mr. BRETH. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRETH. Mr. Speaker, I think the gentleman's remarks up to this time have been off the subject matter at hand, and not on the bill.

The SPEAKER. The gentleman has completed his remarks.

MOTION TO RECOMMIT

Mr. LIPPINCOTT. Mr. Speaker, because of the far reaching effects of this bill, especially on industry, and the lower part of the Delaware River Basin, I move at this time that House Bill 1295, Printer's No. 353, be re-referred to the Committee on State Government for further study.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, because of my interest in the industries, particularly in the region of the lower Delaware, I would oppose this motion to recommit, because this bill is very timely and necessary for the future development of industry of the lower Delaware and for the waters that new industries will need.

Mr. WOOD. Mr. Speaker, I rise to oppose this motion to recommit. I am surprised that the gentleman from Delaware, Mr. Lippincott, would make this motion be

cause Elwood Turner is the father of Incodel, and he came from Delaware County. I am very much surprised that the gentleman would make such a motion.

On the question recurring,

Will the House agree to the motion?

Mr. READINGER. Mr. Speaker, I ask for a division.

On a rising vote, fifteen Members or less than a majority having voted in the affirmaitve, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. WOOD. Mr. Speaker, this bill is a part of the Commission on Interstate Corporation, and I happen to be the Chairman. This commission is composed of Members of the House and Senate, and they have been working on this project for the last twenty years. All these subjects that have been raised here today have been given very considerable consideration. I would urge everybody to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Seyler,
Amarando,	Gramlich,	McCann,	Snider,
Andrews,	Guss,	McCormack,	Spencer,
Auker,	Gutendorf,	McDermit,	Stank,
Banker,	Guthrie,	McGee,	Stevenson,
Barkdoll,	Hall,	McWherter,	Stimmel,
Bazin,	Hamilton, W. H.,	Mihm,	Stone,
Bear,	Helm,	Mikula,	Stoner,
Boies,	Hersch,	Miller,	Taylor,
Bolton,	Hocker,	Mills,	Thomas,
Bomberger,	Hoggard,	Moody,	Toll,
Boory,	Ide,	Moore,	Toomey,
Bower,	Jenkins,	Munley,	VanSant,
Breisch,	Jim,	Musto,	Vaughan,
Brown,	Johnson,	Naugle,	Verona,
Bucchin,	Jones, Geo. E.,	Needham,	Wall,
Buchanan,	Jones, Gran'le E.,	Ogilvie,	Wallace,
Capano,	Jones, Paul F.,	Olsen,	Walsh,
Cioffi,	Kamyk,	Parlante,	Wargo,
Clapper,	Keller,	Pfaff,	Waterhouse,
Comer,	Kent,	Phillips,	Weidner,
Connelly,	Kolankiewicz,	Polaski,	Welsh,
Coyle,	Kornick,	Polen,	Wescott,
Curwood,	Kratz,	Poltenstein,	White,
Davis,	Kubacki,	Price,	Whitenight,
Dougherty,	Lederer,	Quisenberry,	Willaredt,
Downey,	Leisey,	Readinger,	Williams,
Dunn,	Leonard,	Reidenbach,	Wood,
Erb,	Leven,	Richter,	Yeakel,
Fenrich,	Limper,	Rovansek,	Yetzer,
Ferster,	Lopresti,	Royer,	Zeitz,
Filo,	Lovett,	Rubin,	Ziegler,
Floyd,	Lutty,	Sarraf,	Smith, C. C.,
Flynn,	Maguire,	Schmidt,	Speaker
Frost,	Markley,		

NAYS—26

Ashton,	Fleischman,	Lippincott,	Scott,
Blair,	Gibson,	McCullough,	Smith, W. B.,
Breth,	Hamilton, R. K.,	Moran,	Strausser,
Bullen,	Jump,	Moscrip,	Sucher,
Cianfrani,	Kerlin,	Peifly,	Tompkins,
Down,	Kohl,	Ragot,	Young,
DuBois,	Light,		

NOT VOTING—40

Baumunk,	Harris,	Monroe,	Shoemaker,
Conner,	Haudenshield,	Muldowney,	Shotwell,
Cochran,	Hewitt,	Murray, J. J.,	Thompson,
Cooper,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Ewing,	Kline,	Peta,	Varner,
Farabaugh,	Kromer,	Petrosky,	Watkins,
Flack,	Lafore,	Pettigrew,	Whalley,
Geer,	Mahan,	Reagan,	Wheeler,
Goodling,	McInroy,	Rosen,	Wilt,
Greenwood,	Metz,	Schuster,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1323 as follows:

An Act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" in so far as it relates to counties of the fourth class and cities boroughs townships and school districts situate in such counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" which was partially repealed by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) and by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1593) is hereby further repealed in so far as it relates to all counties of the fourth class and all cities boroughs townships and school districts situate in such counties

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. QUISENBERRY. Mr. Speaker, this bill, although appearing on its face to be a major change in the law for redemption of taxed property, actually is a clarification measure.

The present law provides that when a person loses his property at a tax sale, that property will be put up by the taxing authority and sold. This bill does not in any way affect that original sale of the property.

Under the present law according to who buys this property there are various ways of redeeming it. During the depression a great number of lots were sold for taxes. It was felt that a relief provision of some kind was needed. The law provided that within two years the person could come in and redeem his property by paying the taxes and costs assessed on it.

After that, another Act, the Act repealed by this bill, was passed which provided that a person could come in at any time and pay one-fifth of the taxes and recover his property. That Act was very much needed in those days. It, however, has outlived its usefulness and today is the means for the perpetration of almost complete fraud upon the property owners.

A person, and very often of the low income group, who will get one of these lots from the taxing authorities will purchase the lot, expend perhaps $100 for costs to the county and legal fees, get into court and then find that a large landowner who owned that property back in 1932 will sit back and wait until he is in court and walk in under this provision that he can redeem it any time, pay the bare 20 percent without any intention of picking up the property from there on in and therefore put the property back on the tax rolls.

The Act is now working the very opposite of what it was intended. At the present time in Erie there is a classic example—and this bill has been endorsed to the best of my knowledge by both parties and all taxing authorities there. This bill will not affect that example but it will keep it from happening in the future.

There was land owned by the county on which a housing development was built during the war by the Federal Government. The land was never conveyed to them. The housing, the buildings, were conveyed to the city. The development remained there during this period of time, and by accident it earned $175,000 income. The city moved to have this income transferred to its general fund, and an estate which had not owned this property for the last 20 years which had never paid any taxes on it came in under this Act saying, "we wish now to pay 20 percent. The land belongs to us; the buildings belong to us and also all earnings from it."

The thing is wide open. It is turned around so that it necessitates now—in lots that are owned by large real estate companies that were lost back in the depression years—it is necessary for the average individual wanting to redeem one of those lots instead of going to the title holder, the county, the city or whoever owns it, instead of going to them, they must go to this landowner, pay his price for a quit claim deed and get him to agree if they do not get him to agree, he will step into court and pay his 20 percent and upset their proceedings.

The bill has no further use. This is a bill to repeal it.

Mr. LOPRESTI. Mr. Speaker, I would have raised the question on this bill previously but I was engaged in a conference with Mr. Bower and did not know it came up. However, since it has been opened I am very grateful for the opportunity of explaining a little more in detail what this bill attempts to do.

The explanation given by the gentleman from Erie is swell as far as it goes, but it does not go far enough. He has made the statement that all the former owner needs to do is to go in and pay 20 percent and take back the property. That is far from the fact. The fact is that the former owner must go in and enter into an agreement with the county commissioners to pay one-fifth or 20 percent of the tax each year for a period of five years. In addition, mind you, this agreement also sets forth that he will pay the current taxes as they fall due.

This is not an automatic procedure. He must go into his county commissioner's office and enter into a formal agreement agreeing that he will pay one-fifth of the taxes each year together with the penalties and the costs and everything that has been against the property, and also to pay as I said previously the current taxes when due.

A bill similar to this came up in the 1951 Session and was defeated at that time. The sponsor suggested that there were some inequities. The former landowners were coming in and entering into those agreements and then defaulting on the agreements. When I opposed the bill he came over and wanted to know if there was not some way he could offer an amendment, and I said I am agreeable, that if a person enters into such an agreement and defaults, that from that time on he would lose all of his rights of redemption.

I offered to sponsor such an amendment along with him. He went back to Erie county and came back and said, "No that is not satisfactory. We just do not want that redemption law."

I submit the truth is that this bill was passed during the depression years. It was meant as a relief to the small man. It was meant to give him a chance to redeem his property by making payment of all his back taxes, interest and penalties over a period of five years on the installment plan. That situation still applies today. When a small man loses his property he generally loses it because he does not have the money to pay his taxes otherwise he would have paid them. I believe a law that permits him to pay over a five year period on the installment plan, and at the same time requires him to keep up his current taxes, is a good law to have in our books. It protects the man who is less able to pay his taxes, and that is the man that we in this Legislature should lose time and patience to accommodate.

I believe this as a bad bill. We are likewise in the same county clasification as Erie County. I happen to be the county manager of properties that were sold at tax sale, have been over a number of years, and we have yet to find one situation in our county where it has worked a hardship upon the county or any of the taxing bodies.

I therefore believe this bill should be defeated and the present law should stay as it is.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—75

Ashton,	Ferster,	Kohl,	Stevenson,
Auker,	Fleischman,	Kratz,	Stimmel,
Banker,	Frost,	Leisey,	Stoner,
Barkdoll,	Gibson,	Markley,	Strausser,
Bear,	Gleason,	Mathews,	Sucher,
Blair,	Gramlich,	Mikula,	Thompson,
Bolton,	Gutendorf,	Miller,	Toomey,
Bomberger,	Guthrie,	Moody,	Vaughan,
Bower,	Hall,	Moore,	Wall,
Breisch,	Hamilton, W. H.,	Moscrip,	Waterhouse,
Brown,	Helm,	Naugle,	Weidner,
Buchanan,	Hewitt,	Ogilvie,	Wescott,
Bullen,	Hocker,	Phillips,	Willaredt,
Clapper,	Ide,	Quisenberry,	Wood,
Connelly,	Johnson,	Richter,	Yeakel,
Davis,	Jones, T. H. W.,	Royer,	Young,
Down,	Keller,	Rubin,	Ziegler,
DuBois,	Kent,	Scott,	Smith, C. C.,
Ewing,	Kerlin,	Spencer,	Speaker

NAYS—96

Adam,	Hamilton, R. K.,	McDermit,	Schwartz,
Alexander,	Hersch,	McGee,	Seyler,
Amarando,	Hoggard,	McWherter,	Shoemaker,
Andrews,	Jenkins,	Mihm,	Shotwell,
Bazin,	Jim,	Mills,	Smith, W. B.,
Boles,	Jones, Geo. E.,	Moran,	Snider,
Boory,	Jones, Paul F.,	Muldowney,	Stank,
Breth,	Kamyk,	Munley,	Stone,
Bucchin,	Kolankiewicz,	Murray, J. J.,	Taylor,
Capano,	Kornick,	Musto,	Thomas,
Cianfrani,	Kubacki,	Needham,	Toll,
Cioffi,	Lederer,	Olsen,	Tompkins,

Comer,	Leonard,	Parlante,	VanSant,
Coyle,	Leven,	Peifly,	Varner,
Curwood,	Light,	Pfaff,	Verona,
Dougherty,	Limper,	Polaski,	Wallace,
Downey,	Lopresti,	Polen,	Walsh
Farabaugh,	Lovett,	Poltenstein,	Wargo,
Fenrich,	Lutty,	Price,	Welsh,
Filo,	Maguire,	Ragot,	Whalley,
Floyd,	Maxwell,	Readinger,	White,
Flynn,	McCann,	Rovansek,	Whitenight,
Glick,	McCormack,	Sarraf,	Williams,
Guss,	McCullough,	Schmidt,	Zeitz,

NOT VOTING—36

Baumunk,	Greenwood,	Mahan,	Reidenbach,
Cochran,	Harris,	McInroy,	Rosen,
Conner,	Haudenshield,	Metz,	Schuster,
Cooper,	Jones, Granle E.	Monroe,	Varallo,
Dunn,	Jump,	Murray, P. G.,	Watkins,
Erb,	Kline,	Peta,	Wheeler,
Flack,	Kromer,	Petrosky,	Wilt,
Geer,	Lafore,	Pettigrew,	Worley,
Goodling,	Lippincott,	Reagan,	Yetzer,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection

House Bill No. 1343, Printer's No. 282.

House Bill No. 1349, Printer's No. 336 and

House Bill No. 1359, Printer's No. 342,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1376, entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, second line of Title, by inserting after "Revenue" "prothonotaries."

Amend Sec. 6, page 13, line 15, by inserting after "Review" "Liens."

Amend Sec. 6, page 17, by inserting between lines 3 and 4

"(g) All taxes imposed by this act together with all penalties and interest, shall be considered a public account, after being assessed in the manner provided in this act, and as such shall be a lien upon all real estate within the Commonwealth of any taxpawer resident or non-resident, but only after the same has been entered and docketed of record by the prothonotary of the county where such real estate is situated as hereafter provided. The department may at any time transmit to the prothonotaries of the respective counties, certified copies of all liens for taxes imposed by this act and penalties and interest. It shall be the duty of each prothonotary receiving such lien to enter and docket the same of record in his office, which lien shall be indexed as judgments are now indexed. All such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation, judgment, claim, lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable, subject, however, to mortgage or other liens existing and duly recorded at the time such tax lien is recorded, save and except the cost of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property. The lien of said taxes, interest and penalties shall continue for five (5) years from the date of entry and may be revived and continued in the manner now or hereafter provided for renewal of judgments, and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgement, in the manner in which such written writs are ordinarily employed. Any wilful failure of any prothonotary to carry out any duty imposed upon him by this section, shall be a misdemeanor, and upon conviction, he shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000), and costs of prosecution or to undergo imprisonment not exceeding one (1) year or both, in the discretion of the court."

Amend page 2, line 5, by striking out after the word "used" and before the word "clearly" the following: "to."

Amend page 3, line 9, by inserting after the word "in" and before the word "mixing" the following "making."

Amend page 13, line 6, by inserting after the word "the" and before the word "offense" the following: "first."

Amend page 17, line 1, by striking out after the word "and" and before the word "of" the following: "regulation," and inserting in lieu thereof the following: "regulations as may be appropriate to prevent further shipment or transportation."

Amend page 18, line 15, by inserting after the word "or" and before the word "crowns" the following: "tax."

Amend page 21, line 7, by striking out after the word "any" and before the word "or" the following "syrup," and inserting in lieu thereof the following: "syrups."

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection,

House Bill No. 1377, Printer's No. 284 and

House Bill No. 1401, Printer's No. 395,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1419, as follows:

An Act to amend Section 14 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and

duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by removing the requirement for approval of the Department of Internal Affairs covering obligations of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 14 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended to read as follows

Section 14 Form and Sale of Bonds The bonds of an Authority shall be authorized by its resolution shall be issued in one or more series and shall bear such date mature at such time and bear interest at such rate not exceeding six per centum (6%) per annum payable semi-annually be in such denominations be in such form either coupon or registered be executed in such manner be payable in such medium of payment at such place and be subject to such terms of redemption and carry such registration privileges as may be provided in such resolution or in any trust indenture or mortgage properly made in pursuance thereof

[Before any bonds may be sold in pursuance of any resolution of any Authority the chairman or secretary of such Authority shall certify to the Department of Internal Affairs a complete and accurate copy of the proceedings had for the issuance of the bonds which are to be sold in the manner now or hereafter provided for the certification to said department of the proceedings relating to the issuance of bonds of the municipalities of this Commonwealth Upon receiving such a certificate of approval of the proceedings from the Department of Internal Affairs the Authority may proceed with the sale of the Bonds]

The bonds of an Authority may be sold at not less than par and accrued interest In case any of the officers of an Authority whose signatures appear on any bonds or coupons shall cease to be officers before the delivery of such bonds their signatures shall nevertheless be valid and sufficient for all purposes the same as if such officers had remained in office until such delivery

The Authority shall have the power out of any funds available therefor to purchase any bonds issued by it at a price not more than the par value thereof plus accrued interest All bonds so purchased shall be cancelled This paragraph shall not apply to the redemption of bonds

Any bond reciting in substance that it has been issued by an Authority to accomplish the public purposes of this act shall be conclusively deemed in any suit action or proceeding involving the validity or enforceability of such bonds or security therefor to have been issued for such purpose

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Muldowney,	Thompson,
Brown,	Ide,	Munley,	Toll,
Bucchin,	Jenkins,	Murray, J. J.,	Tompkins,
Buchanan,	Jim,	Musto,	Toomey,
Bullen,	Johnson,	Naugle,	VanSant,
Capano,	Jones, Geo. E.,	Needham,	Varner,
Cianfrani,	Jones, Granville E.	Ogilvie,	Varallo,
Cioffi,	Jones, Paul F.,	Olsen,	Vaughan,
Clapper,	Jones, T. H. W.,	Parlante,	Verona,
Cochran,	Jump,	Peifly,	Wall,
Comer,	Kamyk,	Peta,	Wallace,
Connelly,	Keller,	Petrosky,	Walsh,
Conner,	Kent,	Pettigrew,	Wargo,
Cooper,	Kerlin,	Pfaff,	Waterhouse,
Coyle,	Kohl,	Phillips,	Weidner,
Curwood,	Kolankiewicz,	Polaski,	Welsh,
Davis,	Kornick,	Polen,	Wescott,
Dougherty,	Kratz,	Poltenstein,	Whalley,
Down,	Kubacki,	Price,	Wheeler,
Downey,	Lafore,	Quisenberry,	White,
DuBois,	Lederer,	Ragot,	Whitenight,
Dunn,	Leisey,	Readinger,	Willaredt,
Erb,	Leonard,	Reagan,	Williams,
Ewing,	Leven,	Reidenbach,	Wilt,
Farabaugh,	Light,	Richter,	Wood,
Fenrich,	Limper,	Rosen,	Yeakel,
Ferster,	Lippincott,	Rovansek,	Yetzer,
Filo,	Lopresti,	Royer,	Young,
Flack,	Lovett,	Rubin,	Zeitz,
Fleischman,	Lutty,	Sarraf,	Ziegler,
Floyd,	Maguire,	Schmidt,	Smith, C. C., Speaker
Flynn,	Mahan,		
Frost,	Markley,		

NAYS—1

Moscrip,

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1420, as follows:

An Act to amend Section 6 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1633) entitled "An act providing and regu-

lating State assistance for housing including slum clearance and redevelopment and making an appropriation" by changing limitation as to tenant admissions in urban redevelopment projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1633) entitled "An act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation" is hereby amended to read as follows

Section 6 Tenant Limitations No capital grant pursuant to section 4 (a) of this act shall be made for any housing project unless the agency authority or corporation receiving such capital grant shall contract to maintain rent levels within the means of persons of limited income as established by the State Planning Board and embodied in the contract as hereinafter provided which shall be substantially below those now available through equivalent nonsubsidized construction and to limit the tenant admissions of such project to families whose aggregate income does not exceed six times the net rental of the housing unit to be furnished any such family In urban redevelopment projects tenant admissions shall be limited to families whose aggregate income does not exceed eight times the net rental of the housing unit to be furnished any such family

Employment by any specific employer or employers shall not be a requisite for occupancy in any housing project built under the provision of this act

Priority in occupancy shall be given to veterans and families of veterans for five years after the effective date of this act and thereafter at the discretion of the board and so far as is consistent with the objectives of this act to persons displaced by the necessary operations of public housing and redevelopment projects and other public improvements Provided That such persons or families meet the income qualifications established by the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kubacki,	Polen,	Wheeler,
Downey,	Lafore,	Poltenstein,	White,
DuBois,	Lederer,	Price,	Whitenight,
Dunn,	Leisey,	Quisenberry,	Willaredt,
Erb,	Leonard,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Wilt,
Farabaugh,	Light,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Yeakel,
Ferster,	Lippincott,	Richter,	Yetzer,
Filo,	Lopresti,	Rosen,	Young,
Flack,	Lovett,	Rovansek,	Zeitz,
Fleischman,	Lutty,	Royer,	Ziegler,
Floyd,	Maguire,	Rubin,	Smith, C. C., Speaker
Flynn,	Mahan,	Sarraf,	
Frost,			

NAYS—1

Vaughan,

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1421, as follows:

An Act to amend Section 12 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by providing for the admission of certain evidence before the board of view or the court of common pleas

The General Assembly of the Commonwealth of Pennsylvanit hereby enacts as follows

Section 1 Section 12 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain

the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended to read as follows

Section 12 Eminent Domain Title to any property acquired by an Authority through eminent domain shall be an absolute or fee simple title unless a lesser title shall be designated in the eminent domain proceedings The Authority may exercise the right of eminent domain in the manner provided by law for the exercise of such right by cities or counties as the case may be of the same class as the city or county in which such Authority is organized to operate If any of the real property in the redevelopment area which is to be acquired has prior to such acquisition been devoted to another public use it may nevertheless be acquired by condemnation [Provided That no] No real property belonging to a city county or to the Commonwealth may be acquired without its consent No real property belonging to a public utility corporation may be acquired without the approval of the Public Utility Commission

In all proceedings brought under the provisions of this section evidence of violations of local ordinances or housing codes and of substandard conditions of the premises to be acquired by a Redevelopment Authority shall be admissible before the board of view or the court of common pleas

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 50, as follows:

An Act to further amend section 306 and to amend subsection A of section 318 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes and providing for the powers duties and liabilities of such trustees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 306 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts

and parts of acts relating to corporations" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 306 Authority to Take and Hold Trust Property Investments Subject to any limitations or restrictions contained in its articles every nonprofit corporation formed for religious educational scientific or charitable purposes may without limitations as to value take receive and hold such real and personal property including the principal or interest of any money or other fund as may be given granted conveyed bequeathed devised to or otherwise vested in such corporation in trust for the purpose or purposes set forth in its articles Such real and personal property shall be faithfully and specifically used for or applied to the purpose or purposes for which it was given in trust to the corporation The directors of the corporation shall as trustees of such property be held to the same degree of responsibility and accountability as if not incorporated unless a less degree or a particular degree of responsibility and accountability is prescribed in the trust instrument or unless the directors remain under the control of the members of the corporation or third persons who retain the right to direct and do direct the actions of the directors as to the use of the trust property from time to time Unless otherwise specifically directed in the trust instrument by which any real or personal property money or other funds are given granted conveyed bequeathed devised to or otherwise vested in corporations formed for religious educational scientific or other charitable purposes the directors thereof shall have power to invest the funds thus received or the proceeds of any property thus received in such investments as in the honest exercise of their judgment they may after investigation determine to be safe and proper investments and to retain any investments heretofore so made The directors of the corporation shall keep accurate accounts of all trust funds separate and apart from the other funds of the corporation and shall unless the terms of the particular trust instrument provide otherwise make an annual report signed by the treasurer to the members of the corporation concerning the trust funds held under this section and the use made of such funds and of the income thereof

Any such nonprofit corporation may by appropriate action of its board of directors or trustees transfer any such real or personal property to a corporate trustee which shall be a bank and trust company or a trust company incorporated under the laws of the Commonwealth of Pennsylvania or a national banking association having fiduciary powers and having its principal office in this Commonwealth as trustee and with like investment restrictions said transfers to be either revocable or irrevocable and upon the transfer of any such property any such nonprofit corporation shall be relieved of all liability for the investment and reinvestment thereof Such corporate trustee shall pay at least semi-annually or at more frequent intervals if so agreed the net income from such property to such nonprofit corporation for use and application to the purpose or purposes for which it was given in trust to such nonprofit corporation

Section 2 Subsection A of section 318 of the said act as added thereto by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 196) is hereby amended to read as follows

Section 318 Common Trust Funds A Every nonprofit corporation may establish and maintain one or more common trust funds the assets of which shall be held invested and reinvested by the corporation itself or by a corporate trustee designated and empowered as hereinafter provided which corporate trustee shall be a bank and trust company or a trust company incorporated under the laws of Pennsylvania or a national banking association having fiduciary powers and having its principal office in Pennsylvania The board of directors or trustees of any such nonprofit corporation may by appropriate action designate such corporate trustee transfer such assets to it in trust and authorize it to invest reinvest apportion and amortize such assets subject to the same powers restrictions and obligations as are hereinafter provided with respect to investment reinvestment apportionment and amorization of such assets by the nonprofit corporation itself Upon transfer of any assets to such corporate trustee such nonprofit corporation shall be relieved of all duties and liabilities for the investment reinvestment apportionment and amortization thereof hereinafter imposed by this section and such duties and liabilities shall be assumed BY and shall appertain to such corporate trustee The corporate trustee shall pay at least semi-annually or at more frequent intervals if so agreed the net income from such assets to such nonprofit corporation for use and application to the several participating interests in such common trust fund the proportion of which participations in such net income to be designated upon payment thereof by the corporate trustee The nonprofit corporation may at any time withdraw the whole or part of any participating interests in such common trust fund for distribution by it as hereinafter provided The term "common trust fund" shall mean a fund maintained by the corporation for the collective investment and reinvestment of moneys of trusts and any other funds contributed thereto by such corporation as fiduciary or otherwise

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Praff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lorresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C.,
Flynn,	Mahan,	Schmidt,	Speaker
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 189, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, we have before us now, I think, a tremendously important bill. This bill provides that when a property is sold at treasurer's sale that the treasurer be required to give notice to the last registered owner and to living creditors.

The last part of the bill is particularly important because it means that the county solicitor—incidentally under this bill he is required to perform this service for the county treasurer, even though we have passed a bill giving the county treasurer his own solicitor. At any rate this bill provides that the county solicitor shall give a list of the last registered owner and a list of the living creditors to the county treasurer, and he shall notify each and every one of those prior to making a tax sale.

This would cause the county to be put to the expense of making an abstract on every property that is sold by the county at a tax sale, because in order to determine who the living creditors are, you cannot search against the last registered owner only, but you must go back and search all of the owners previously to determine whether or not there are any valid liens against the property. It would mean in some situations if the county treasurer would be selling a property for maybe a $5 school tax, yet the county commissioners would have to pay the county solicitor for making an abstract of that property involving perhaps $40 or $50 worth of expense.

I can see in a great many cases where much more money would be spent to make the abstract and search to find out who the last registered owner is, than the county could possibly realize from the sale of the property.

I think this bill deserves a lot of further study, and I would like to make a suggestion, if I may at this point, that we reconsider and pass this bill over, for the purpose of giving it further study, because I think it is of real importance to determine how much additional cost this is going to put on the counties. I believe, personally, that it is going to place so much additional cost on the county that the tax sales are going to lose money for the county rather than gain money.

Mr. JOHNSON. Mr. Speaker, I would suggest that the Chair withdraw its decision that this bill has been agreed to on third reading, and that we pass it over for a few days for further study.

The SPEAKER. Without objection, the Chair will withdraw its decision as to this bill having been agreed to on third reading. The Chair hears none.

BILL PASSED OVER

There being no objection,

Senate Bill No. 189, Printer's No. 221,

was passed over at the request of Mr. JOHNSON.

There being no objection,

Senate Bill No. 199, Printer's No. 231 and

Senate Bill No. 207, Printer's No. 278,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill 216, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provisions of the act and changing the date on which the period of redemption commences to run on tax claims

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Taxing District" in section 102 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and

to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L., 1602) is hereby further amended to read as follows

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

* * * * *

"Taxing District" any county except a county of the first class city except a city of the first or second class or second class A borough incorporated town township school district except a school district of the first class or a school district within a city of the second class A or institution district Provided however That this act shall not be construed to require any city of the third class or any school district within a city of the third class to collect its delinquent taxes on property under and in accordance with the provisions of this act if the city or the school district shall notify the Tax Claim Bureau in writing on or before the first day of May 1948 that pursuant to a resolution of the city council the city or the board of directors of the school district has resolved that returns of property will not be made under the provisions of this act but that its delinquent taxes will be collected by the filing of liens in the office of the prothonotary or by sale of such property at a city treasurer's sale under existing laws Any such city and any such school district in any county having adopted the system provided by this act may in any year [after 1948] notify the Tax Claim Bureau on or before the first day of May of the year that pursuant to a resolution of the city council or of the board of directors the city or school district as the case may be has resolved to collect its delinquent taxes on property under and in accordance with the provisions of this act and thereafter the city's or school district's delinquent taxes shall be collected only under and in accordance with the provisions of this act Provided further That this act shall not apply in any county [the county commissioners of which shall during the month of January one thousand nine hundred forty-eight adopt a resolution electing not to accept the provisions of this act but to continue to collect its delinquent taxes sell real estate and hold sales under and in accordance with existing laws] unless the county commissioners have adopted the system provided by this act for the collection of its delinquent taxes but any such county may in any year [after 1948] by resolution adopted by the county commissioners during the month of January elect to collect its delinquent taxes on property and those of other taxing districts using the return system under and in accordance with the provisions of this act

Section 2 Subsection (a) of section 308 of the act as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 890) is hereby further amended to read as follows

Section 308 Notice of Filing of Returns and Entry of Claim

(a) Not later than the thirty-first day of July of each year the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by United States registered mail return receipt requested postage prepaid addressed to the owner at his last known post office address If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities then notice as herein provided shall immediately be posted on the property affected Each mailed and posted notice shall (1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes is not made to the county treasurer on or before the thirty-first day of December next following or no exceptions thereto filed the said claim shall become absolute (3) state than on [August] July first of the year in which such notice is given the one (1) year period of redemption shall commence or has commenced to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C.,
Flynn,	Mahan,	Schmidt,	Speaker
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 217, as follows:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending said act are hereby repealed

Section 2 Whenever heretofore any political subdivision authorized to adopt a zoning ordinance or amendment thereto has adopted such an ordinance or amendment thereto as provided by law but has failed to file the same together with maps or plans of the political subdivisions or parts thereof and statements concerning type and kinds of restrictions or regulations for each zone or area in the office of the recorder of deeds of the proper county or has filed such ordinance and maps or plans in the office of the recorder of deeds in the proper county but has failed to file the same in such office within the time prescribed by law or when ever heretofore any recorder of deeds has failed to properly record and index any such material as required by law such ordinance or amendment thereto is hereby validated and confirmed and shall be a valid ordinance for all purposes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adam,	Geer,	Mathews,	Schwartz,
Alexander,	Gibson,	Maxwell,	Scott,
Amarando,	Gleason,	McCann,	Seyler,
Andrews,	Glick,	McCormack,	Shoemaker,
Ashton,	Gramlich,	McCullough,	Shotwell,
Auker,	Greenwood,	McDermit,	Smith, W. B.,
Banker,	Guss,	McGee,	Snider,
Barkdoll,	Gutendorf,	McInroy,	Spencer,
Baumunk,	Guthrie,	McWherter,	Stank,
Bazin,	Hall,	Metz,	Stevenson,
Bear,	Hamilton, R. K.,	Mihm,	Stimmel,
Blair,	Hamilton, W. H.,	Mikula,	Stone,
Boles,	Harris,	Miller,	Stoner,
Bolton,	Haudenshield,	Mills,	Strausser,
Bomberger,	Helm,	Monroe,	Sucher,
Boory,	Hersch,	Moody,	Taylor,
Bower,	Hewitt,	Moore,	Thomas,
Breisch,	Hocker,	Moran,	Thompson,
Breth,	Hoggard,	Muldowney,	Toll,
Brown,	Ide,	Munley,	Tompkins,
Bucchin,	Jenkins,	Murray, J. J.,	Toomey,
Buchanan,	Jim,	Musto,	VanSant,
Capano,	Johnson,	Naugle,	Varallo,
Cianfrani,	Jones, Geo. E.,	Needham,	Varner,
Cioffi,	Jones, Gran'le E.	Ogilvie,	Vaughan,
Clapper,	Jones, Paul F.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peta,	Wallace,
Conner,	Keller,	Petrosky,	Walsh
Cooper,	Kent,	Pettigrew,	Wargo,
Coyle,	Kerlin,	Pfaff,	Waterhouse,
Curwood,	Kohl,	Phillips,	Weidner,
Davis,	Kolankiewicz,	Polaski,	Welsh,
Dougherty,	Kornick,	Polen,	Wescott,
Down,	Kratz,	Poltenstein,	Whalley,
Downey,	Kubacki,	Price,	Wheeler,
DuBois,	Lafore,	Quisenberry,	White,
Dunn,	Lederer,	Readinger,	Whitenight,
Erb,	Leisey,	Reagan,	Willaredt,
Ewing,	Leonard,	Reidenbach,	Williams,
Farabaugh,	Leven,	Richter,	Wilt,
Fenrich,	Light,	Rosen,	Wood,
Ferster,	Limper,	Rovansek,	Yeakel,
Filo,	Lopresti,	Royer,	Yetzer,
Flack,	Lovett,	Rubin,	Young,
Fleischman,	Lutty,	Sarraf,	Zeitz,
Floyd,	Maguire,	Schmidt,	Ziegler,
Flynn,	Markley,	Schuster,	Smith, C. C., Speaker
Frost,			

NAYS—8

Bullen,	Jones, T. H. W.,	Mahan,	Peifly,
Connelly,	Lippincott,	Moscrip,	Ragot,

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending said act are hereby repealed

Section 2 Whenever heretofore any political subdivision authorized to adopt a building ordinance or code or amend-

ment thereto has adopted such an ordinance or code or amendment thereto as provided by law but has failed to file the same in the office of the recorder of deeds of the proper county has filed such ordinance code or amendment in the office of the recorder of deeds of the proper county but has failed to file the same in such office within the period prescribed by law or if the recorder of deeds has failed to properly record and index such ordinance or code or amendment thereto as required by law such ordinance code or amendment thereto is hereby validated and confirmed and shall be a valid ordinance for all purposes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Geer,	Mathews,	Schwartz,
Alexander,	Gibson,	Maxwell,	Scott,
Amarando,	Gleason,	McCann,	Seyler,
Andrews,	Glick,	McCormack,	Shoemaker,
Ashton,	Gramlich,	McCullough,	Shotwell,
Auker,	Greenwood,	McDermit,	Smith, W. B.,
Banker,	Guss,	McGee,	Snider,
Barkdoll,	Gutendorf,	McInroy,	Spencer,
Baumunk,	Guthrie,	McWherter,	Stank,
Bazin,	Hall,	Metz,	Stevenson,
Bear,	Hamilton, R. K.,	Mihm,	Stimmel,
Blair,	Hamilton, W. H.,	Mikula,	Stone,
Boles,	Harris,	Miller,	Stoner,
Bolton,	Haudenshield,	Mills,	Strausser,
Bomberger,	Helm,	Monroe,	Sucher,
Boory,	Hersch,	Moody,	Taylor,
Bower,	Hewitt,	Moore,	Thomas,
Breisch,	Hocker,	Moran,	Thompson,
Breth,	Hoggard,	Muldowney,	Toll,
Brown,	Ide,	Munley,	Tompkins,
Bucchin,	Jenkins,	Murray, J. J.,	Toomey,
Buchanan,	Jim,	Musto,	VanSant,
Capano,	Johnson,	Naugle,	Varallo,
Cianfrani,	Jones, Geo. E.,	Needham,	Varner,
Cioffi,	Jones, Gran'le E.	Ogilvie,	Vaughan,
Clapper,	Jones, Paul F.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Conner,	Keller,	Peta,	Walsh,
Cooper,	Kent,	Petrosky,	Wargo,
Coyle,	Kerlin,	Pettigrew,	Waterhouse,
Curwood,	Kohl,	Pfaff,	Weidner,
Davis,	Kolankiewicz,	Phillips,	Welsh,
Dougherty,	Kornick,	Polaski,	Wescott,
Down,	Kratz,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
DuBois,	Lafore,	Price,	White,
Dunn,	Lederer,	Quisenberry,	Whitenight,
Erb,	Leisey,	Readinger,	Willaredt,
Ewing,	Leonard,	Reagan,	Williams,
Farabaugh,	Leven,	Reidenbach,	Wilt,
Fenrich,	Light,	Richter,	Wood,
Ferster,	Limper,	Rosen,	Yeakel,
Filo,	Lopresti,	Rovansek,	Yetzer,
Flack,	Lovett,	Royer,	Young,
Fleischman,	Lutty,	Rubin,	Zeitz,
Floyd,	Maguire,	Sarraf,	Ziegler,
Flynn,	Mahan,	Schmidt,	Smith, C. C., Speaker
Frost,	Markley,	Schuster,	

NAYS—6

Bullen,	Jones, T. H. W.,	Moscrip,	Ragot,
Connelly,	Lippincott,		

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 228, as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five (5) years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has not within said period of five (5) years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five (5) years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five (5) years after the date on which such judgment was entered or within five (5) years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within six (6) months after the effective date of this act file such tax or municipal claim or amend such claim so as to properly describe the property against which the claim is assessed or issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five (5) years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of non-

payment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to properly describe the property against which the claim was assessed or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five (5) year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Granle E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Waterhouse,
Conner,	Kent,	Petrosky,	Walsh
Cooper,	Kerlin,	Pettigrew,	Wargo,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act to further amend Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as last amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" by further regulating the licensing and conditions for transaction of such business.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. STIMMEL. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 322, as follows:

An Act to amend the title and sections 1 and 2 of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections 1 and 2 of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting

the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" are hereby amended to read as follows

An Act

Prohibiting the payment by counties of costs in criminal cases discharged after [preliminary] hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof and the transcript delivered to the county commissioners within a certain period

Section 1 Be it enacted &c That no county shall hereafter be liable for the payment of any costs in any prosecution brought before any magistrate alderman or justice of the peace against any person on the charge of having committed any crime or summary offense when such charge shall upon examination at a [preliminary] hearing appear to be unfounded and shall be dismissed or discharged by such magistrate alderman or justice of the peace and the costs thereof directed to be paid by the county or where the defendant is convicted and sentenced to jail in default of the payment of the fine and costs imposed unless there shall be endorsed upon the transcript of such proceedings the names and specific addresses of the prosecutor the defendant or defendants and of all the witnesses who were called and sworn and who testified at such hearing or examination and the transcript delivered to the office of the county commissioners within thirty (30) days after the hearing

Section 2 It is unlawful for the county commissioners or the controller of any county to order authorize or approve the payment of any costs in any such proceedings unless the transcript thereof shall contain the name and specific address of the prosecutor the defendant or defendants and all witnesses and has been delivered to the office of the county commissioners as required by the preceding section of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Blair,	Hamilton, R. K.,	Mihm,	Stevenson,
Bear,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quiscnberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeltz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 324, as follows:

An Act relating to support or dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Pennsylvania civil Procedual Support Law"

Section 2 Definitions The masculine pronoun when used in this Act shall be construed to include the female

"Court" as used in this Act shall be construed to mean the Quarter Sessions Court of any county the Municipal Court of Philadelphia and the County Court of Allgeheny County

"Law" includes both common and statute law

"Duty of Support" includes and duty of support imposed or imposable by law or by any court order decree or judgment whether interlocutory or final whether incidental to a proceeding for divorce legal separation separate maintenance or otherwise

"Probation Officer" shall include any officer now or hereafter serving in any court at the direction of the court in the Domestic Relations Division of this court and to whom is assigned the enforcement of the duty to support

"Initiating county" means any county in which any proceeding pursuant to this Act is commenced

"Responding county" means any county (including the initiating county) in which any proceeding pursuant to the proceeding in the initiating county is or may be commenced

"Complaint" shall include any petition information affidavit or any other legal document for the institution of support proceedings

Section 3 Remedies Additional to Those Now Existing The proceedings provided by this Act are in addition to and not in substitution of proceedings provided by law where there is desertion or a failure of duty to support

Section 4 Domestic Relations Division and Probation Officer (a) In every judicial district of the Commonwealth there shall be a Domestic Relations Division for the

purpose of keeping a full and complete record of all support proceedings which shall process all complaints received from an initiating county or from an initiating state which has adopted the Uniform Reciprocal Enforcement of Support Act

(b) A probation officer together with such assistants as may be necessary appointed by the court shall be in charge of the Domestic Relations Division for the purpose of processing the complaints filed and making effective the orders of support entered said probation officer shall keep an account of all orders made by the court and a record of all payments made thereunder and shall bring promptly to the attention of the court and the district attorney any default in complance with the court's order the probation officer shall make an annual report to the court of the full activity of the Domestic Relations Division

(c) The probation officer and assistants in the Domestic Relations Division shall receive a salary commensurate with their duties and fixed by the salary board of the county together with the necessary expenses incurred while in the actual performance of duty both of which shall be paid by the county It shall be the duty of the problation officer to make such investigation as may be necessary and to furnish the court such information and assistance as the court may require and to take charge of any defendant before or after hearing as may be directed by the court and to collect and pay over to the proper persons money received and in general to do and perform such services as the court may direct

Section 5 Commencement of Actions (a) A support action under this Act shall be commenced by the filing of a verified complaint which shall state as follows (1) The name and address of the complainant (2) The name and address of the defendant (3) The date and place of marriage (4) The names and ages of any children (5) Date and circumstances of separation or failure to support (6) Employment of defendant and earnings (7) Amount of public assistance (8) Amount of support asked (9) The complaint may contain any information to aid the locating or identification of a defendant including but without limitation by enumeration a photograph of the defendant a description of any distinguishing marks of his person other names and aliases by which he has been or is known his financial status fingerprints and Social Security number and any order of support in any other court

(b) A complaint may be filed by any person including a minor wife to whom a duty of support is owing it shall be filed on behalf of a minor child by a person having custody of the minor without appointment as guardian ad litem it may be filed by any public body or public or private agency having any interest in the care maintenance or assistance of any person to whom a duty of support is owing

(c) Every complaint shall contain an order directing the defendant to appear for hearing at a time and place as specified in such order

(d) Every complaint and order may be served by registered mail or by any adult person or by any other manner provided by law

Section 6 Contempt of Court If a person duly served with a copy of a complaint and order shall fail to appear the court may issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct at which time the court may adjudge said person in contempt of court and in its discretion may commit such person to the county jail or house of correction for a period not exceeding six (6) months

Section 7 Order of Support (a) An order of support may be made effective from the date of the filing of the complaint

(b) An order to support of any person shall be made payable to the Domestic Relations Division for transmission to the complaint or for transmission directly to a public body or public or private agency whenever the care maintenance and assistance of such person is provided for by such public body or public or private agency

Section 8 Compelling Attendance (a) At all stages of proceedings provided under this Act the court may compel the attendance by attachment process directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct at which time the court may adjudge such person in contempt of court and in its discretion may commit such person to the county jail or house of correction for a period not exceeding six (6) months

(b) At any stage of the proceedings under this Act upon affidavit that the defendant is about to leave the jurisdiction an attachment may be issued directed to the sheriff or other proper officer of the county directing that the person named be brought before the court at such time as the court may direct at which time the court may direct that the person named give security by one or more surety to appear when directed by the court or to comply with any order of the court

Section 9 Enforcement of orders of the court (a) The court upon receiving information either through written application or at any hearing that there is failure to comply with the order of the court may issue attachment proceedings directed to the sheriff or other proper officer of the county directing that the person named be brought before the court at such time as the court may direct

(b) Any wilful failure to comply with any order of the court may be deemed a contempt of court and may be punishable by the court by commitment to the county jail or house of correction

(c) The wages salary or commissions of any person owing a duty of support may be attached in the following manner

(1) A certified copy of the order of support shall be served on the employer whether a corporation political subdivision association company firm or individual and may be served by registered mail or by any adult person or by any other manner provided by law

(2) Such certified copy of the order shall contain an order directing the employer to make a full answer within ten (10) days after service of the order of the amount of wages salary or commissions of the defendant and further directing the employer to make no payment to the defendant over 50% of the amount due him until further order of the court

(3) The court shall determine the amount of the wages salary or commissions which shall be regularly paid by the employer to the Domestic Relations Division and shall so notify said employer

(4) Thereafter it shall be the duty of the employer to pay such amount regularly to the Domestic Relations Division and upon failure so to pay shall be in contempt and subject to the court's order as now provided in proceedings against defendant The employer is authorized to deduct 2% of the amount paid under the order from the wages of the defendant for clerical work and expense involved in complying therewith

(5) Such attachment shall continue until discharged by order of the court

(d) The Domestic Relations Division shall make periodic reports to the court of defaults in and failure to comply with any order of the court

Section 10 Jurisdiction The court making the order shall at all times maintain jurisdiction of the cause for the purpose of enforcement of the order and for the purpose of increasing decreasing modifying or rescinding such order without limiting the right of a complainant to institute additional proceedings for support in any county wherein the defendant resides or where his property is situated

Section 11 Duties of District Attorney (a) The district attorney shall at all times aid in the enforcement of the duty of support and shall cooperate with the Domestic Relations Division in the presentation of complaints or

in any proceeding designed to obtain compliance with any order of the court

(b) The district attorney upon the request of the court a state or local public welfare official shall represent any complainant in any proceeding under this act

Section 12 Duties of Court in Initiating County If the court of the county acting as an initiating county finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support or the defendant is in default in payment on an order of support and that the court of the responding county may obtain jurisdiction of the defendant or his property it shall so certify to the responding county and shall cause three copies of (1) the complaint or order and (2) is certification to be transmitted to the court in the responding county

Section 13 Duties of Court in Responding County (a) If the court of the county acting as responding county receives from the initiating county the aforesaid copies it shall (1) docket the cause (2) notify the district attorney (3) set time and place for hearing and (4) serve the defendant

(b) If the responding county is unable to obtain jurisdiction of the defendant or his property the court shall communicate this to the intiating county

(c) If the responding county finds a duty of support or a default in payment on an order or support it shall enter an appropriate order and may further subject any property of the defendant to such order by any writ of attachment or execution

(d) The responding county shall cause to be transmitted to the initiating county a copy of all orders entered and shall transmit all collections made on any order to the Domestic Relations Division of the initiating county

(e) The responding county shall have the power to subject the defendant or his property to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular (1) to require the defendant to furnish recognizance in the form of cash deposit or bond of such character and in such amount as the court may deem proper to assure compliance with the order of support (2) to require the defendant to make payments at specific intervals to its Domestic Relations Division (3) to punish the defendant who shall violate any order of the court to the same extent as is provided by law for comtempt of court

Section 14 Costs and Fees No fee shall be required to be paid in advance The court of an initiating or responding county may in its discretion direct that any part of or all fees and costs incurred including without limitation by enumeration fees for filing service of process seizure of property and stenographic service shall be paid by the parties or shall be borne by the county in which the costs have been incurred When the action is brought by or through the state or local public welfare official there shall be no filing fee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Adam,	Gleason,	Markley,	Sarraf,
Andrews,	Gramlich,	Mathews,	Schmidt,
Ashton,	Greenwood,	Maxwell,	Schuster,
Auker,	Guss,	McCann,	Scott,
Banker,	Gutendorf,	McCormack,	Seyler,
Barkdoll,	Guthrie,	McCullough,	Shoemaker,
Baumunk,	Hall,	McGee,	Shotwell,
Bear,	Hamilton, R. K.,	McInroy,	Smith, W. B.,
Blair,	Hamilton, W. H.,	McWherter,	Spencer,
Boies,	Harris,	Metz,	Stevenson,
Bolton,	Haudenshield,	Mihm,	Stimmel,
Bomberger,	Helm,	Mikula,	Stone,
Bower,	Hersch,	Miller,	Stoner,
Breisch,	Hewitt,	Mills,	Strausser,
Breth,	Hocker,	Monroe,	Sucher,
Brown,	Hoggard,	Moody,	Thomas,
Bucchin,	Ide,	Moore,	Thompson,
Buchanan,	Jenkins,	Moscrip,	Tompkins,
Bullen,	Johnson,	Muldowney,	Toomey,
Capano,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cioffi,	Jones, Gran'le E.,	Naugle,	Varallo,
Clapper,	Jones, Paul F.,	Needham,	Varner,
Cochran,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Comer,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	Parlante,	Wall,
Cooper,	Keller,	Peifly,	Wargo,
Davis,	Kent,	Peta,	Waterhouse,
Down,	Kerlin,	Petrosky,	Weidner,
Downey,	Kohl,	Pettigrew,	Wescott,
DuBois,	Kornick,	Pfaff,	Whalley,
Dunn,	Kratz,	Phillips,	Wheeler,
Erb,	Kubacki,	Polen,	Whitenight,
Ewing,	Lafore,	Price,	Willaredt,
Farabaugh,	Leisey,	Quisenberry,	Williams,
Fenrich,	Leonard,	Ragot,	Wilt,
Ferster,	Light,	Readinger,	Wood,
Flack,	Limper,	Reagan,	Yeakel,
Fleischman,	Lippincott,	Reidenbach,	Yetzer,
Flynn,	Lopresti,	Richter,	Young,
Frost,	Lutty,	Rosen,	Ziegler,
Geer,	Maguire,	Royer,	Smith, C. C., Speaker
Gibson,	Mahan,	Rubin,	

NAYS—34

Alexander,	Filo,	Moran,	Stank,
Amarando,	Floyd,	Munley,	Taylor,
Bazin,	Glick,	Musto,	Toll,
Boory,	Jim,	Polaski,	Wallace,
Cianfrani,	Kolankiewicz,	Poltenstein,	Walsh,
Conner,	Lederer,	Rovansek,	Welsh,
Coyle,	Leven,	Schwartz,	White,
Curwood,	Lovett,	Snider,	Zeitz,
Dougherty,	McDermit,		

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and the beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the seven-

teenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 9 Powers to Legislate and Regulate Every such society shall provide for the payment of death benefits and may provide for the erection of monuments to mark the graves of its deceased members and shall have power To make alter and amend its constitution and laws for the government of the society to arrange for the management of its affairs the admission and classification of its members to control and regulate terms and conditions governing the issuance of its beneficiary certificates the character or kind of benefits payable or allowable thereunder and the manner in which they are to be paid to fix and adjust rates of contribution fees or dues payable by its members and the allotment of the same to the different funds of the society

Nothing contained in this act shall prevent a society from using terminology that express the intent and purpose of the forms issued to the members except that in the contracts issued such forms shall include in conspicuous type on the masthead and on the filing back under the name of the Society the words "A Fraternal Benefit Society"

Section 2 Section fifteen of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 403) is hereby further amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates of contribution [paid by the members of] received by the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes except that any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis may transfer or allocate such excess insurance funds to the expense or other funds of the society in accordance with its constitution and by-laws but the amount so transferred in any calendar year shall not exceed five per cent of the [total premium income] contributions to the mortuary fund exclusive of any receipts for disability or double indemnity of such society during the next preceding calendar year Any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis not lower than the American Experience Table of Mortality with an interest rate of three and one-half per cent may in accordance with its constitution and by-laws provide for the consolidation of its various funds and may report its transactions accordingly Provided That no expenses will be incurred that would impair the reserve base or bases which it is using Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment of the funds of life insurance companies and in securities of Federal savings and loan associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioners shall be first obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
DuBois,	Lederer,	Price,	Whitenight,
Dunn,	Leisey,	Quisenberry,	Willaredt,
Erb,	Leonard,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Wilt,
Farabaugh,	Light,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Yeakel,
Ferster,	Lippincott,	Richter,	Yetzer,
Filo,	Lopresti,	Rosen,	Young,
Flack,	Lovett,	Rovansek,	Zeitz,
Fleischman,	Lutty,	Royer,	Ziegler,
Floyd,	Maguire,	Rubin,	Smith, C. C.,
Flynn,	Mahan,	Sarraf,	Speaker
Frost,			

NAYS—1

White,

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 489, Printer's No. 290,

was passed over at the request of Mr. STIMMEL.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 525, as follows:

An Act to amend the title and subsection (h) of Section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" is hereby amended to read as follows

An Act

To provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus materials devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties

Section 2 Subsection (h) of Section 2 of said act as amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 945) is hereby further amended to read as follows

Section 2 General Safety and Health Requirements

* * * * *

(h) When employes due to the nature of employment are subject to injury from flying particles falling objects sharp or rough surfaces or materials hot corrosive or poisonous substances acids or caustics and injurious light rays or harmful radioactive materials they shall be provided with and shall wear goggles other head and eye protectors gloves leggings and other personal protective devices

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeltz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan.	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 535, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (Pamphlet Laws 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts

defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 207 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of procees and notices imposing duties on taxing districts and their officers and on tax collectors and certan expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as last amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for th actual costs and expenses of operating the bureau created by this act [for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective] the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof [and thereafter shall receive and retain two per centum (2%) thereof] which percentage shall be deducted by the bureau before paying over moneys to the respective taxing districts entitled thereto and shall be paid into the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 2 Subsection (d) of section 307 of the act is herby amended to read as follows

* * * * *

Section 307 Filing Claims Testing Validity of Old Claims Joinder of Claims of Taxing Districts

(d) Not later than the thirtieth day of June each year or for the first year in which any county operates under the provisions of this act not later than the thirtieth day of September the bureau shall make up from the tax returns received from the taxing districts as aforesaid a claim for each property returned which shall contain the unpaid taxes against such property which are due all taxing districts as found in the various returns Such claims shall be entered by the bureau in a suitable claim docket and may be in the form of written or typewritten lists A claim shall cover the unpaid taxes due all taxing districts but the amount due each taxing district shall nevertheless be shown separately A number of years' taxes of different kinds may be included in one claim Any claims shall be amendable by leave of the bureau upon notice to the defendant as the bureau may require

Section 3 Subsection (a) of Section 308 of the act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 890) is hereby further amended to read as follows

Section 308 Notice of Filing of Returns and Entry of Claim (a) Not later than the thirty-first day of July of each year or for the first year a county operates under this act not later than the thirty-first day of October the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by United States registered mail return receipt requested postage prepaid addressed to the owner at his last known post office address If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities then notice as herein provided shall immediately be posted on the property affected Each mailed and posted notice shall (1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes is not mode to the [county treasurer] bureau on or before the thirty-first day of December next following in cases where the notice was mailed prior to August first or that if payment is not made on or before March thirty-first in cases where the notice was mailed on or after August first or no exceptions thereto filed the said claim shall become absolute (3) state that on [August] July first of the year in which such notice is given or if the notice was mailed after July thirty-first that on the first day of the month (naming it) in which the notice was mailed the one (1) year period of redemption shall commence or has commenced to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale

* * * * *

Section 4 Section 311 subsection (b) of Section 314 and subsection (a) of Section 501 of the act are hereby amended to read as follows

Section 311 Claims Become Absolute On the first day of January next following the notice herinbefore prescribed in cases where the notice was mailed prior to August first or on the first day of April in cases where the notice was mailed on or after August first if the amount of the tax claim referred to in the notice has not been paid or no exceptions thereto filed the claim shall become absolute Every such claim shall bear interest as hereinbefore provided to the date of payment or date of sale held under the provisions of this act except in the case of claims where the owner is paying his taxes under the provisions of any law abating penalties interests and costs or either in which case the claim shall bear no interest and costs unless there is a default in payment in which case interest shall run on the amount due on the claim at the time of default and penalties interest and costs abated shall be added as provided by the act of Assembly abating the same

* * * * *

Section 314 Proceeding to Attack Validity of Claim

(b) Any defendant in any such claim at any time before the [first day of January next following the notice as aforesaid] day fixed for the claim to become absolute under Section 311 may file with the bureau exceptions to the claim as entered or to any part of the claim The bureau after giving due notice to the taxing districts interested shall hold a hearing thereon and either disallow the exceptions or allow the exceptions in whole or in part and strike off or reduce the claim in accordance with the evidence produced and the powers of the bureau as hereinbefore prescribed.

If the defendant is aggrieved by the decision of the bureau he may within fifteen (15) days after notice thereof appeal by petition to the court of common pleas of the county setting forth the defense he has to the claim or any part thereof and the refusal of the bureau to allow his exceptions and strike off or reduce the amount of the claim Thereupon the court shall grant a rule on the taxing district or districts to show cause why the claim should not be set aside or reduced in amount as prayed for in the petition The petitioners shall give notice of such proceeding to the bureau

* * * * *

Section 501 Redemption of Property From Effects of Tax Claims

(a) Any owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representative or other person interested may within one (1) year after the first day of July of the year in which the claim was filed and notice given if the notice was mailed prior to August first or within one year from the first day of the month in which the notice was mailed if mailed on or after August first redeem such property for the benefit of the owner by payment to the bureau of the amount of the aforesaid claim and interest thereon the amount of any other tax or tax judgment due on such property and interest thereon and the amount of all accrued taxes which remain unpaid the record costs including pro rata costs of the notice or notices given in connection with the returns or claims

The bureau shall receive and receipt for said payments and shall make distribution thereof through the county treasurer to the taxing districts entitled thereto The bureau shall forthwith acknowledge the receipt of the redemption moneys by entering satisfaction on the record of the claim in the office of the bureau which shall be signed by the director

* * * * *

Section 5 Subsection (a) of Section 601 of the act as amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby reenacted and further amended to read as follows

Section 601 Date of Sale (a) Commencing on the second Monday of July of each year or for the first year any county is operating under the provisions of this act at the bureaus discretion commencing on the second Monday of October or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) or where held by the bureau under article seven as agent for the various taxing districts the premises remain occupied by one or more persons in the family of the previous owner who are or within the sixty (60) days immediately preceding were receiving assistance from a public agency against which a tax claim has become absolute and the period of redemption has expired (without the property having been redeemed) or against which a tax jugdment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale.

* * * *

Section 6 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 543, Printer's No. 302,

was passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection,

House Bill No. 155, Printer's No. 404,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 643 as follows:

An Act to regulate the business of private detectives investigators and watch guard or patrol agencies and the licensing thereof in each county providing penalties

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Section 20 Disposition of Fees and Other Revenue
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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Private Detective Act of 1953"

Section 2 Definitions (a) "Private detective business" shall mean and include the business of private detective private detective business the business of investigator or the business of watch guard or patrol agency

(b) "Private detective business" shall also mean and include separately or collectively the making for hire reward or for any consideration whatsoever of any investigation or investigations for the purpose of obtaining information with reference to any of the following matters notwithstanding the fact that other functions and services may also be performed for fee hire or reward

(1) Crime or wrongs done or threatened against the government of the United States of America or any state or territory of the United States of America

(2) The identity habits conduct movements whereabouts affiliations associations transactions reputation or character of any person group of persons association organization society other groups of persons partnership or corporation

(3) The credibility of witnesses or other persons

(4) The whereabouts of missing persons

(5) The location or recovery of lost or stolen property

(6) The causes and origin of or responsibility for fires or libels or losses or accidents or damage or injuries to real or personal property

(7) The affiliation connection or relation of any person partnership or corporation with any union organization socity or association or with any official member or representative thereof

(8) With reference to any person or persons seeking employment in the place of any person or persons who have quit work by reason of any strike

(9) With reference to the conduct honesty efficiency loyalty or activities of employes agents contractors and subcontractors

(10) The securing of evidence to be used before any authorized investigating committee board of award board of arbitration or in the trial of civil or criminal cases

(11) The furnishing for hire or reward of watchmen or guards or private patrolmen or other persons to protect persons or property or to prevent the theft or the unlawful taking of goods wares and merchandise or to prevent the misappropriation or concealment of goods wares or merchandise money bonds stocks choses in action notes or other valuable documents papers and articles of value or to procure the return thereof or the performing of the service of such guard or other person or any of said purposes

The foregoing shall not be deemed to include persons engaged in the business of adjusters for insurance companies nor persons in the exclusive employment of common carriers subject to regulation by the Interstate Commerce Commission or the Public Utility Commission of the Commonwealth of Pennsylvania or investigators in the employment of credit bureaus

(c) The terms "the business of detective agency" the "business of investigator" the "business of watch guard or patrol agency" and the terms "private detective" or "investigator" shall mean and include any person partnership association or corporation engaged in the private detective business as defined in subsections (a) and (b) of this section with or without the assistance of any employe or employes

(d) The term "commissioner" shall mean the Commissioner of the Pennsylvania State Police

Section 3 Licesnes (a) No person partnership association or corporation shall engage in the business of private detective or the business of investigator or the business of watch guard or patrol agency for the purpose of furnishing guards or patrolmen or other persons to protect persons or property or to prevent the theft or the unlawful taking of goods wares and merchandise or to prevent the misappropriation or concealment of goods wares merchandise money bonds stocks documents and other articles of value for hire or reward or advertise his or their business to be that of detective or of a detective agency or investigator or watch guard or patrol agency notwithstanding the name or title used in describing such agency or notwithstanding the fact that other functions and services may also be performed for fee hire or reward without having first obtained a license so to do as hereinafter provided

(b) No person partnership association or corporation shall engage in the business of furnishing or supplying for fee hire or any consideration or reward information as to the personal character or activities of any person partnership corporation society or association or any person or group of persons or as to the character or kind of the business and occupation of any person partnership association or corporation or own or conduct or maintain a bureau or agency for the above mentioned purposes except exclusively as to the financial rating standing and credit responsibility of persons partnerships associations or corporations or as to the personal habits and financial responsibility of applicants for insurance indemnity bonds or commercial credit or of claimants under insurance policies Provided That the business so exempted does not embrace other activities described in subsections (a) (b) and (c) of section two of this act without having first obtained as hereafter provided a license so to do for each such bureau or agency and for each and every sub-agency office and brance office to be owned conducted managed or maintained by such persons partnership association or corporation for the conduct of such business Nothing contained in this section shall be deemed to include the business of adjusters for insurance companies nor persons in the exclusive employment of common carriers subject to regulation by the Interstate Commerce Commission or the Public Utility Commission of the Commonwealth of Pennsylvania or investigators in the employment of credit bureaus.

Section 4 Application for Licenses Any person partnership association or corporation intending to conduct a private detective business the business of investigator or

the business of watch guard or patrol agency or the business of a detective agency and any person partnership association or corporation intending to conduct the business of furnishing or suplying information as to the personal character of any person or as to the character or kind of the business and occupation of any person partnership corporation society or association or any person or group of persons or intending to own conduct manage or maintain a bureau or agency for the above mentioned purposes or while engaged in other lawful business activities also intending to engage in any one or more of the activities set forth in subsections (a) (b) and (c) of section two of this act except exclusively as to the financial rating standing and credit responsibility of persons partnerships associations or corporations shall for each such bureau or agency and for each and every sub-agency office and branch office to be owned conducted managed or maintained by such person partnership association or corporation for the conduct of such business file in the office of the Clerk of the Court of Quarter Sessions of the county wherein the principal office of such business is located a written aplication duly signed and verified as follows

(a) If the applicant is a person the application shall be signed and verified by such person and if the applicant is a partnership or association the application shall be signed and verified by each individual composing or intending to compose such partnership or association The application shall state the full name age residence present ad previous occupations of each person or individual so signing the same that he is a citizen of the United States and shall also specify the name of the city borough township or incorporated town stating the street and number if the premises have a street and number and otherwise such apt description as will reasonably indicate the location thereof where is to be located the principal place of business and the bureau agency sub-agency office or branch office for which the license is desired and such further facts as may be required by the Court of Quarter Sessions to show the good character competency and integrity of each person or individual so signing such application Each person or individual signing such application shall together with such application submit to the Court of Quarter Sessions his photograph in duplicate in passport size and also fingerprints of his two hands recorded in such manner as may be specified by the Court of Quarter Sessions Before approving such application it shall be the duty of the Court of Quarter Sessions to compare such fingerprints with fingerprints of criminals now or hereafter filed in the records of the Pennsylvania State Police Every such applicant shall establish to the satisfaction of the Court of Quarter Sessions and by at least two duly acknowledged certificates that such applicant if he be a person or in the case of a partnership association or corporation at least one member of such partnership association or corporation has been regularly employed as a detective or shall have been a member of the United States government investigative service a sheriff or member of a city police department of a rank or grade higher than that of patrolman for a period of not less than three years Such application shall be approved as to each person or individual so signing the same by not less than five reputable citizens of the community in which such applicant resides or transacts business or in which it is proposed to own conduct manage or maintain the bureau agency sub-agency office or branch office for which the license is desired each of whom shall certify that he has personally known the said person or individual for a period of at least five years prior to the filing of such application that he has read such application and believes each of the statements made therein to be true that such person is honest of good character and competent and not related or connected to the person so certifying by blood or marriage The certificate of approval shall be signed by such reputable citizens and duly verified and acknowledged by them before an officer authorized to take oaths and acknowledgment of deeds

(b) If the applicant is a corporation the application shall be signed and verified by the president secretary and treasurer thereof and shall specify the name of the corporation the date and place of its incorporation the location of its principal place of business and the name of the city borough township or incorporated town stating the street and number if the premises have a street and number and otherwise such apt description as will reasonably indicate the location thereof where is to be located the bureau agency sub-agency office or branch office for which the license is desired the amount of the corporation's outstanding paid up capital stock and whether paid in cash or property and if in property the nature of the same and shall be accompanied by a duly certified copy of its certificate of incorporation Each and every requirement of clause (a) of this section as to a person or individual member of a partnership or association shall apply to the president secretary and treasurer and each such officer his successor and successors shall prior to entering upon the discharge of his duties sign and verify a like statement approved in like manner as is by clause (a) prescribed in the case of a person or individual member of a partnership or association In the event of the death resignation or removal of such officer due notice of that fact shall forthwith be given in writing to the Court of Quarter Sessions together with a copy of the minutes of any meeting of the board of directors of said corporation certified by the secretary indicating the death resignation or removal of such officer and the election or designation of the successor of such deceased resigned or removed officer

Section 5 Enforcement of Act Investigations (a) The district attorneys of the various counties shall have the power to enforce the provisions of this act and upon complaint of any person or on his own initiative to investigate any violation thereof or to investigate the business business practices and business methods of any person partnership association or corporation applying for or holding a license as a private detective or investigator if in the opinion of the district attorney such investigation is warranted Each such applicant or licensee shall be obliged on request of the district attorney to supply such information as may be required concerning his or its business business practices or business methods or proposed business practices or methods

(b) For the purpose of enforcing the provisions of this act and in making investigations relating to any violation thereof and for the purpose of investigating the character competency and integrity of the applicants or licensees hereunder and for the purpose of investigating the business business practices and business methods of any applicant or licensee or of the officers or agents thereof the district attorney acting by such officer or person in the office of the district attorney as the district attorney may designate shall have the power to subpoena and bring before the officer or person so designated any person in the county and require the production of any books or papers which he deems relevent to the inquiry and administer an oath to and take testimony of any person or cause his deposition to be taken with the same fees and mileage and in the same manner as prescribed by law for civil cases in a court of record except that any applicant or licensee or officer or agent thereof shall not be entitled to such fees or mileage Any person duly subpoenaed who fails to obey such subpoena without reasonable cause or without such cause refuse to be examined or to answer any legal or pertinent question as to the character or qualification of such applicant or licensee or such applicant's or licensee's business business practices and methods or such violations shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo imprisonment for not more than one (1) year or both The testimony of witnesses in any such proceeding shall be under oath which the district attorney or his subordinate of the designated by the district attorney may administer and wilful false swearing in any such proceeding shall be punishable as perjury

Section 6 Issuance of Licenses Fees Bonds (a) When the application shall have been examined and such further inquiry and investigation made as the Court of Quarter Sessions or the district attorney shall deem proper and

when the Court of Quarter Sessions shall be satisfied therefrom of the good character competency and integrity of such applicant or if the applicant be a partnership association or corporation of the individual members or officers thereof and a period of ten days from the date of the filing of the application shall have passed the Court of Quarter Sessions shall issue and deliver to such applicant a certificate of license to conduct such business and to own conduct or maintain a bureau agency sub-agency office or branch office for the conduct of such business on the premises stated in such application upon the applicant's paying to the Court of Quarter Sessions for each such certificate of license so issued for the use of the county a license fee of two hundred dollars ($200) if the applicant be an individual or of three hundred dollars ($300) if a partnership association or corporation and upon the applicant's executing delivering and filing in the office of the Clerk of the Court of Quarter Sessions a corporate bond in the sum of ten thousand dollars ($10,000) conditioned for the faithful and honest conduct of such business by such applicant which surety bond must be written by a corporate surety company authorized to do business in this Commonwealth as surety and approved by the Court of Quarter Sessions with respect to its form manner of execution and sufficiency The license granted pursuant to this act shall last for a period of two years but shall be revocable at all times by the Court of Quarter Sessions for cause shown In the event of such revocation or of a surrender of such license no refund shall be made in respect of any license fee paid under the provisions of this act Such bond shall be executed to the Commonwealth of Pennsylvania and any person injured by the violation of any of the provisions of this act or by the wilful malicious and wrongful act of the principal or employe may bring an action against such principal employe or both on said bond in his own name to recover damages suffered by reason of such wilful malicious and wrongful act provided that the aggregate liability of the surety for all such damages shall in no event exceed the sum of such bond In each and every suit or prosecution arising out of this act the agency of any employe as to the employment and as to acting in the course of his employment shall be presumed

The license certificate shall be in a form to be prescribed by the Court of Quarter Sessions and shall specify the full name of the applicant the location of the principal office or place of business and the location of the bureau agency sub-agency office or branch office for which the license is issued the date in which it is issued the date on which it will expire and the names and residences of the applicant or applicants filing the statement required by section four upon which the license is issued and in the event of a change of any such address or residence the Court of Quarter Sessions shall be duly notified in writing of such change within twenty-four hours thereafter and failure to give such notification shall be sufficient cause for revocation of such license No such license shall be issued to a person under the age of twenty-five years

(b) Except as hereinafter provided in this subsection no such license shall be issued to any person who has been convicted in this state or any other state or territory of a felony or any of the following offenses (1) illegally using carrying or possessing a pistol or other dangerous weapon (2) making or possessing burglar's instruments (3) buying or receiving stolen property (4) unlawful entry of a building (5) aiding escape from prison (6) unlawfully possessing or distributing habit forming narcotic drugs (7) picking pockets or attempting to do so or (8) soliciting any person to commit sodomy or other lewdness

Except as hereinafter in this subsection provided no license shall be issued to any person whose license has been previously revoked by the Court of Quarter Sessions or the authorities of any other state or territory because of conviction of any of the crimes or offenses specified in this section The provisions of this subsection shall not prevent the issuance of a license to any person who subsequent to his conviction shall have received executive pardon therefor removing this disability

(c) There shall be kept in the office of the Clerk of the Court of Quarter Sessions a bulletin board in a place accessible to the general public on which shall be posted at noon on Friday of each week the following a statement of all pending applications for licenses under this act giving the name of the applicant and whether individual partnership association or corporation and the proposed business address a similar statement of all such licenses issued during the preceding week a similar statement of all such licenses revoked during the preceding week

(d) No holder of an employment agency license shall be licensed under this act While holding a license under this act a licensee shall not simultaneously hold an employment agency license or have financial interest in or participate in the control and management of any employment agency or any other person partnership association or corporation engaged in private detective business except that a licensee hereunder may own or possess stock in any corporation whose only business is to undertake for hire the preparation of payrolls and the transportation of payrolls moneys securities and other valuables In the event of the filing in the office of the Clerk of the Court of Quarter Sessions a verified statement of objections to the issuance of a license under the provisions of this act no license shall be issued to such applicant until all objections shall have been heard in a hearing and a determination made by the Court of Quarter Sessions

Section 7 Refund of Fees Moneys heretofore or hereafter received by the Court of Quarter Sessions pursuant to this act may within three years from the receipt thereof be refunded to the person entitled thereto on satisfactory proof that

(1) Such moneys were in excess of the amount required by this act to the extent of such excess

(2) The license for which application was made has been denied

(3) The applicant for the license has predeceased its issuance

(4) The licensee has enlisted in or been otherwise inducted into active federal military naval or marine service or in any branch or division thereof in which event the refund shall be such proportion of the license fee paid as the number of full months remaining unexpired of the license period bears to the total number of months in such period

Such refunds shall upon approval by the Court of Quarter Sessions be paid from any moneys received from the operation of this act and in the custody of the county treasurer

Section 8 Posting and Surrender of License Certificate Immediately upon the receipt of the license certificate issued by the Court of Quarter Sessions pursuant to this act the licensee named therein shall cause such license certificate to be posted up and at all time displayed in a conspicuous place in the bureau agency sub-agency office or branch office for which it is issued so that all persons visiting such place may readily see the same Such license certificate shall at all reasonable times be subject to inspection by the district attorney or an authorized representative or representatives of the Pennsylvania State Police and the Attorney General It shall be unlawful for any person partnership association or corporation holding such license certificate to post such certificate or to permit such certificate to be posted upon premises other than those described therein or to which it has been transferred pursuant to the provisions of this act or knowingly to alter deface or destroy any such license certificate Every license certificate shall be surrendered to the Court of Quarter Sessions within seventy-two hours after its term shall have expired or after notice in writing to the holder that such license has been revoked Any licensee failing to comply with any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo imprisonment for not more than (1) year or both Such failure shall be sufficient cause for the revocation of a license

Section 9 Certificate Pocket Card or Badge Lost or

Destroyed If it shall be established to the satisfaction of the Court of Quarter Sessions in accordance with rules and regulations promulgated and established by such court that an unexpired license certificate pocket card or badge issued in accordance with the provisions of this act has been lost or destroyed without fault on the part of the holder the Court of Quarter Sessions shall issue a duplicate license certificate or pocket card for the unexpired portion of the term of the original license certificate and shall issue a duplicate badge for the unexpired portion of the term of the original license upon payment to the Court of Quarter Sessions of an amount required for such duplicate badge

Section 10 Removal of Bureau Agency or Office If the holder of an unexpired license certificate issued pursuant to this act shall remove the bureau agency sub-agency office or branch office to a place other than that described in the license certificate he shall within the twenty-four hours immediately following such removal give written notice of such removal to the Court of Quarter Sessions Such notice shall describe the premises to which such removal is made and the date on which it was made Such license certificate shall be sent to the Court of Quarter Sessions A judge of such court shall cause to be written or stamped across the face of such license certificate a statement signed by him to the effect that the holder of such license has removed on the date stated in such written notice such bureau agency sub-agency office or branch office from the place originally described in such license certificate to the place described in such written notice and such license certificate with the indorsement thereon shall then be returned to the licensee named therein

Section 11 Renewal of Licenses A license granted under the provisions of this act may be renewed by the Court of Quarter Sessions upon application therefor by the holder thereof in such form as the Court of Quarter Sessions may prescribe and payment of fee and filing of surety bond each in amounts equivalent to those specified in Section 6 as pertaining to original licenses A renewal period within the meaning of this act is considered as being six months from the date of expiration of a previously issued license

Section 12 License Certificates Pocket Cards Shields or Badges Upon the issuing of a license as hereinbefore provided the Court of Quarter Sessions shall issue to each such person individual member of a partnership or association or officer of a corporation making and filing a statement required by Section 4 of this act a pocket card of such size and design as such court may prescribe which card shall contain a photograph of the licensee the name and business address of the licensee and the imprint or impress of the seal of the court and also a metal shield or badge of such shape and description and bearing such inscription as the court may designate which pocket card and badge shall be evidence of due authorization pursuant to the terms of this act All persons to whom such license certificates pocket cards shields or badges shall have been issued shall be responsible for the safe keeping of the same and shall not loan let or allow any other person to use wear or display such certificate pocket card shield or badge No person shall wear or display any license certificate pocket card shield or badge purporting to authorize the holder or wearer thereof to act as a private detective or investigator unless the same shall have been duly issued pursuant to the provisions of this act Failure to comply with the provisions of this section shall be sufficient cause for revocation of such license and all such certificates pocket cards shields and badges shall be returned to the Court of Quarter Sessions within seventy-two hours after the holder thereof has received notice in writing of the expiration or revocation of such license No person except as authorized in this section shall wear or display a shield or badge of any design or material purporting to indicate that the wearer or bearer thereof is a private detective or investigator or is authorized to act as a private detective or investigator unless required by law to do so Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo imprisonment for not more than one (1) year or both

Section 13 Employes (a) The holder of any license certificate issued pursuant to this act may employ to assist him in his work of private detective or investigator as described in Section 2 and in the conduct of such business as many persons as he may deem necessary and shall at all times during such employment be legally responsible for the good conduct in the business of each and every person so employed

No holder of any unexpired license certificate issued pursuant to this act shall knowingly employ in connection with his or its business in any capacity whatsoever any person who has been convicted of a felony or any of the following offenses and who has not subsequent to such conviction received executive pardon therefor removing this disability (1) illegally using carrying or possessing a pistol or other dangerous weapon (2) making or possessing burglar's instruments (3) buying or receiving stolen property (4) unlawful entry of a building (5) aiding escape from prison (6) unlawfully possessing or distributing habit forming narcotics drugs (7) picking pockets or attempting to do so (8) soliciting any person to commit sodomy or other lewdness or (9) any person whose private detective or investigator's license was revoked or application for such license was denied by the Court of Quarter Sessions or by the authorities of any other state or territory because of conviction of any of the crimes or offenses specified in this section

Should the holder of an unexpired license certificate falsely state or represent that a person is or has been in his employ such false statement or misrepresentation shall be sufficient cause for the revocation of such license Any person falsely stating or representing that he is or has been a detective or employed by a detective agency shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo imprisonment for not more than one (1) year or both

(b) No person shall hereafter be employed by any holder of a license certificate until he shall have executed and furnished to such license certificate holder a verified statement to be known as "employe's statement" setting forth

(1) His full name age and residence address

(2) The country of which he is a citizen

(3) The business or occupation engaged in for the three years immediately preceding the date of the filing of the statement setting forth the place or places where such business or occupation was engaged in and the name or names of employers if any

(4) That he has not been convicted of a felony or of any offense involving moral turpitude or of any of the misdemeanors or offenses described in subsection (a) of this section

(5) Such further information as the court of quarter sessions may by rule require to show the good character competency and integrity of the person executing the statement

(c) Immediately upon the verification of an employe's statement the holder of a license certificate by whom such person has been or is to be employed shall cause two sets of fingerprints of the two hands of such person to be recorded in such manner as the court of quarter sessions may by rule prescribe The holder of a license certificate shall immediately stamp in indelible ink the employe's statement and each set of fingerprints with the name year and license certificate number of such holder and a number which number shall be determined by the number of such statements furnished to such holder and shall be in numerical sequence

(d) The holder of a license certificate shall affix one set of such fingerprints to the employe's statement in such manner that the prints can be examined without disclosing the contents of the employe's statement and shall retain such statement and prints so long as he shall be licensed under this act

(e) The holder of a license certificate shall file the other set of fingerprints with the court of quarter sessions

(f) Within five days after the filing of such fingerprints the court of quarter sessions shall cause such fingerprints to be compared with fingerprints of criminals now or hereafter filed in the records of the Pennsylvania State Police and if the court finds any record affecting such prints it shall immediately notify the holder of such license certificate and shall also refer the matter to the district attorney of the county The quarter sessions court may also from time to time cause such fingerprints to be checked against the fingerprints of criminals now or hereafter filed in the records of the Pennsylvania State Police or of other official fingerprint files within or without this Commonwealth and if the court finds that such person has been convicted of a felony or any other offense specific in subsection (a) of this section he shall immediately notify the holder of such license certificate and shall also refer the matter of the district attorney the quarter sessions court shall at all times be given access to and may from time to time examine the fingerprints retained by the holder of a license certificate as provided in subsection (d) of this section

(g) If any holder of a certificate shall file with the quarter sessions court the fingerprints of a person other than the person so employed he shall be subject to a fine not exceeding five thousand dollars ($5,000) or to imprisonment not exceeding one (1) year or both

Section 14 Employes Not to Divulge Information or Make False Reports Any person who is or has been an employe of a holder of a license shall not divulge to any one other than his employer or as his employer shall direct except as he may be required by law any information acquired by him during such employment in respect of any of the work to which he shall have been assigned by such employer Any such employe violating the provisions of this section and any such employe who shall wilfully make a false report to his employer in respect of any of such work shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo imprisonment for not more than one (1) year or both The employer of any employe believed to have violated this section shall without any liability whatsoever upon said employer supply the Court of Quarter Sessions and such court shall should the facts and circumstances be deemed to warrant conduct further investigation submit the evidence thus acquired to the district attorney for appropriate action in accordance with the provisions of Section 18 of this act

Section 15 Application of Act Nothing in this act shall apply to any detective officer or man belonging to the Pennsylvania State Police or to the police force of any county city borough township or incorporated town or any employe of such State Police or such police force appointed or elected by due authority of law while engaged in the performance of their official duties nor to any person partnership association or corporation or any bureau or agency whose business is exclusively the furnishing of information as to the business and financial standing and credit responsibility of persons partnerships associations or corporations or as to the personal habits and financial responsibility of applicants for insurance indemnity bonds or commercial credit or of claimants under insurance policies and whose business does not embrace other activities described in Section 2 of this act nor to any corporation duly authorized by the Commonwealth to operate a fire alarm protection business nor to any person while engaged in the business of adjuster for an insurance company nor to any person regularly employed as special agent detective or investigator exclusively by one employer in connection with the affairs of that employer only nor to any charitable or philanthropic society or association duly incorporated under the laws of the Commonwealth and which is organized and maintained for the public good and not for private profit nor shall anything in this act contained be construed to affect in any way attorneys or counselors at law in the regular practice of their profession but such exemption shall not enure to the benefit of any employe or representative of such attorney or counselor at law who is not employed solely exclusively and regularly by such attorney or counselor at law nor to persons in the exclusive employment of common carriers subject to regulation by the Interstate Commerce Commission or the Public Utility Commission of the Commonwealth of Pennsylvania nor to investigators in the employment of credit bureaus No person partnership association corporation or any bureau or agency exempted hereunder from the application of this act shall perform any manner of detective service as described in Section 2 hereof for any other person partnership association corporation bureau or agency whether for fee hire reward other compensation remuneration or consideration or as an accommodation without fee reward or remuneration or by a reciprocal arrangement whereby such services are exchanged on request of parties thereto The commission of a single act prohibited by this act shall constitute a violation thereof

Nothing in this act shall be construed to affect or prohibit the right of any person to form or become affiliated with or to continue as a member of any union association society or organization of his own choosing

Section 16 Unlawful Acts It is unlawful for the holder of a license issued under this act or for any employe of such licensee knowingly to commit any of the following acts within or without the Commonwealth of Pennsylvania to incite encourage or aid in the incitement or encouragement of any person or persons who have become a party to any strike to do unlawful acts against the person or property of any one or to incite stir up create or aid in the inciting of discontent or dissatisfaction among the employes of any person partnership association or corporation with the intention of having them strike to interfere or prevent lawful and peaceful picketing during strikes to interfere with restrain or coerce employes in the exercise of their right to form join or assist any labor organization of their own choosing to interfere or hinder the lawful or peaceful collective bargaining between employes and employers to pay offer or give any money gratuity favor consideration or other thing of value directly or indirectly to any person for any verbal or written report of the lawful activities of employes in the exercise of their right of self-organization to form join or assist labor organizations and to bargain collectively through representatives of their own choosing to advertise for recruit furnish or replace or offer to furnish or replace for hire or reward within or without the Commonwealth of Pennsylvania any help or labor skilled or unskilled or to furnish or offer to furnish armed guards other than armed guards theretofore regularly employed for the protection of payrolls property or premises for service upon property which is being operated in anticipation of or during the course or existence of a strike or furnish armed guards upon the highways for persons involved in labor disputes or to furnish or offer to furnish to employers or their agents any arms munitions tear gas implements or any other weapons or to send letters or literature to employers offering to eliminate labor unions or distribute or circulate any list of members of a labor organization or to advise any person of the membership of an individual in a labor organization for the express purpose of preventing those so listed or named from obtaining or retaining employment The violation of any of the provisions of this section shall constitute a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to imprisonment for not less than six (6) months nor more than one (1) year or both It is unlawful for the holder of a license to collect or offer or attempt to collect or directly or indirectly engage in the business of collecting of debts or claims of any kind excepting that the repossession of property in the temporary possession of defaulting purchasers or conditional sale agreements or bailment leases or under other circumstances by which title to said property has not been transfered to the temporary possessor shall not be considered a violation of this section It is

unlawful for the holders of a license to furnish or perform any services described in subsections (a) and (b) of Section 2 of this act on a contingent or percentage basis or to make or enter into any agreement for furnishing services of any kind or character by the terms or conditions of which agreement the compensation to be paid for such services to the holder of a license is partially or wholly contigent or based upon a percentage of the amount of money or property recovered or dependent in any way upon the result achieved

Section 17 District Attorneys to Prosecute Criminal action for violation of this act shall be prosecuted by the district attorney of the county in which any violation of this act occurred.

Section 18 Reward May be Presumed In any prosecution under this act any person partnership association or corporation who or which performs or commits any of the acts set forth in Section 2 and 3 shall be presumed to do so for a fee compensation valuable consideration or reward

Section 19 Roster of Licenses The clerk of each Court of Quarter Sessions shall publish at least once in each year a roster of the names and addresses of all persons partnerships associations and corporations licensed by such court under the provisions of this act A copy of each roster published by each clerk shall be mailed by him to any licensee upon request and without charge and a copy of each such roster shall also be mailed by him to the commissioner who shall keep a roster of the names and addresses of all persons partnerships and corporations in the Commonwealth of Pennsylvania under the provisions of this act A copy of the roster kept by the commissioner shall be mailed by him to any licensee upon request and without charge.

Section 20 Disposition of Fees and Other Revenue All fees and other moneys derived from the operation of this act shall on the first day of each month be paid by the Court of Quarter Sessions into the county treasury

Section 21 Repeals The act approved the twenty-third day of May one thousand eight hundred eighty-seven (P. L. 173) entitled "An act to make the carrrying on of the business of detectives without license a misdemeanor and to regulate the licensing and powers of detectives" as amended by the act approved the thirty-first day of May one thousand nine hundred one (P. L. 355) is hereby repealed

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Varner,
Clapper,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Comer,	Kamyk,	Parlante,	Wall,
Connelly,	Keller,	Peifly,	Wallace,
Conner,	Kent,	Peta,	Walsh,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
DuBois,	Lederer,	Price,	White,
Dunn,	Leisey,	Quisenberry,	Whitenight,
Erb,	Leonard,	Ragot,	Willaredt,
Ewing,	Leven,	Readinger,	Williams,
Farabaugh,	Light,	Reagan,	Wilt,
Fenrich,	Limper,	Reidenbach,	Wood,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lopresti,	Rosen,	Yetzer,
Flack,	Lovett,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C.,
Frost,	Markley,	Schmidt,	Speaker
Geer,			

NAYS—1

Banker,

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 952, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for filling of vacancies in certain offices and for notice and publication of fire protection codes and ordinances authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds increasing the criminal jurisdiction of the mayor as an alderman authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising authorizing certain street construction and improvement by city employes and the sale of real estate by the city at public sale providing for payment by the city of certain costs in connection with shade trees and further regulating purchases and contracts

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, on first looking over this bill I could not see anything really objectionable in it until I got into it and then I began to smell some mice. So, I got the Pennsylvania Economy League to give me an analysis both pro and con on the bill. It is a third class city bill and of course only affects the people who live in third class cities of which there are some 43 or 45 in the Commonwealth.

To be fair to the sponsors of the bill, I am going to ask permission of the Speaker and the Members of the House to read the letter to me from the Pennsylvania Economy League and also their comments on the bill.

I feel they are very important in your voting on this very important measure

"Dear Mr. Auker:

Pursuant to your request I have analyzed Sections 1811.1 and 1811.2, House Bill 952. Enclosed herewith is a copy of this analysis. You will note that I have discussed each section separately.

In discussing Section 1811.1 you will observe that I have listed its advantages and disadvantages. I hope that these will assist you in determining your position on these phases of the bill. Frankly, I feel that there is nothing seriously objectionable in Section 1811.1 other than the fact that its abuse by local officials could lead to a serious financial crisis. Of course, abuse of any law usually results in difficulties. I think you would agree with me on this. I do feel, however, that the section should stipulate clearly whether or not such temporary debt would constitute an increase in the indebtedness of the city and therefore affect its borrowing capacity.

Insofar as Section 1811.2 is concerned I see nothing wrong with it, for apparently all it does is insert in the third class city code a provision for borrowing in anticipation of current revenues, which provision already exists in the other municipal codes.

Inasmuch as I have discussed this at great length in the analysis I shall not go into detail. I trust that this information will be of some value to you."

(Signed) GEDEON A. LA CROIX
Executive Secretary

Now this is the analysis of Section 1811.1 by the Pennsylvania Economy League, in whom I have the greatest confidence. They are a non-partisan, non-profit corporation. Their services are paid for by private contributions from business and other interests in these communities.

"Under existing law there is no such thing as a long-term loan from a bank or other source and any type of obligation not a tax anticipation note is a bond and must be authorized and sold in accordance with all the provisions of the Municipal Borrowing Law.

Section 1811.1 of House Bill 952, although it does not provide for long term loans from a bank or other source, does broaden the powers of third class cities to incur short term loans from a bank or other source for permanent improvements. In effect this section allows the cities to borrow money for permanent improvements during any fiscal year and provides the method of repayment of such obligation—the period of repayment not to exceed three years of date of issue of such obligation. There is nothing in this section to indicate whether or not such temporary debt would constitute an increase in the indebtedness of the city within the meaning of Article 9, Section 8 of the Constitution of Pennsylvania or of the Municipal Borrowing Law of June 25, 1941.

This point should be made clear in view of the fact that there is nothing in the section which specifies the amount of temporary debt which the city may incur. The advantages and disadvantages may be summarized as follows:

Advantages

(1) Permits cities to undertake permanent improvements without the necessity of going through the legal procedures of floating a bond issue.

And, of course, you know that before a bond issue could be floated, it would have to have the approval of the vote of the people in that particular municipality.

(2) Encourages local officials to undertake small but badly needed permanent improvements as they arise and expedites their realization. Frequently municipalities delay relatively inexpensive capital improvements until such a time as the cost of several improvements would justify the issue of bonds.

(3) Facilitates financing small improvements on a pay-as-you-go basis.

Disadvantages

(1) Could easily lead to deficit financing and result in financial difficulties.

(2) Short-term loans usually call for higher interest rates.

(3) It could encourage undertaking projects demanded by pressure groups, the urgency and neressity of which could be seriously questioned.

Section 1811.2 has to do with borrowing against anticipated revenues. Now it seems to me that we certainly in the last four years have seen the dangers of borrowing against anticipated revenues in this Commonwealth. And certainly the same principle should apply to all municipalities.

I have heard the gentleman on the other side of the House frequently say "Think of the poor taxpayers." I am thinking of the taxpayers now when I am debating and objecting to this bill as written.

It seems to me that no permanent improvement should be made in any municipality unless the people of that particular municipality or community signify by their vote that they want such a permanent improvement.

I think that is sound government and I think it is sound financing and sound business. Therefore I ask the Members to vote "no" on this bill on that one ground alone.

Second, on this borrowing, these loans for these permanent improvements and these loans against anticipated revenue can run for years, just as long as they reduce the debt by a certain small amount each year that they get from the bank. That is bad. That can make long term loans without the taxpayers having a say so in it one way or another.

You people who sit here know the disadvantages that have occurred from the "tax anything" law. You know the advantages and the wrongs that have been incurred by our public officials in municipalities under that "tax anything" law.

In very many instances they have run hog wild. The old adage still stands, that the more money you give public officials to spend—and that is just as true in the state as it is in municipalities and cities—the more they will spend.

By this bill you are making it possible for the public officials of third class cities to spend more money without the electorate having anything to say. I think it is bad government. I think it is bad financial government. For those reasons I am asking the membership of the House to think of the taxpayers and vote "no" on this bill.

Mr. ANDREWS. Mr. Speaker, for the first time in his long legislative career the gentleman from Blair has convinced me.

If the House will consent we really would like to have this bill go over, because, I understand, there were some amendments that were to be made and I have neglected to see whether those amendments were put in. I was in-

terested particularly in the amendments concerning the filling of vacancies.

If the House will consent, I would like to have the bill go over.

The SPEAKER. Will the gentleman from Cambria move to place the bill on the final passage postponed calendar because of the debate we already have had on the bill?

BILL POSTPONED

Mr. ANDREWS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

House Bill No. 1203, Printer's No. 390,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1254 as follows:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1991) is hereby further amended by adding after subsection (4) thereof a new subsection to read as follows

Section 2 * * * * *

(5) No person shall sell transport over a public highway deliver or cause to be delivered or to be started out for delivery in a vehicle or vehicle and trailer any type of manure unless said vehicle or vehicle and trailer is accompanied by a certificate of weight Such manure shall be weighed at the point of origin or at the nearest scale location to the point of origin by a competent person and on accurate scales suitable for weighing the tare and gross weight of the vehicle or vehicle and trailer transporting the manure and which has been tested and approved for accuracy by an official empowered by law to test such scales All certificates of weight shall be serially numbered and the copies thereof shall bear the same serial number as the original and shall show the name and address of the seller the name and address of purchaser the license number of the vehicle and trailer the date and hour when weighed and the signature of the person who weighed the manure and issued the certificate The certificate of weight shall be made out in ink or indelible pencil and be at least in triplicate form The original copy shall be delivered to the purchaser of the manure one copy shall be retained at the place of weighing and one copy shall be retained by the person making the delivery Copies retained at the place of weighing shall be subject to inspection by any State county or city inspector during business hours and may be seized for use as evidence It shall be unlawful to place any foreign matter or use any water on the manure to increase the weight of said manure at any time before weighing and before delivery is consummated to the actual consumer It shall be unlawful for any person to issue a false or incorrect certificate of weight or for any person to solicit him to do so or for any person to issue a certificate of weight which purports to bear his signature and which was not in fact signed by him at the time of weighing or which expresses a gross tare or net weight not ascertained by him The provisions of this subsection shall not apply (I) where manure is transported between two farms or parcels of land owned by the same person or persons or (II) at any time when manure is sold or transported in lots of two ton or less by contract between two persons and used exclusively by the purchaser and not offered for resale or (III) at any time when manure is delivered in carload lots to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Markley,	Schmidt,
Alexander,	Gibson,	Mathews,	Schuster,
Amarando,	Gleason,	Maxwell,	Schwartz,
Andrews,	Glick,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kubacki,	Polaski,	Whalley,
Downey,	Lafore,	Polen,	Wheeler,
DuBois,	Lederer,	Poltenstein,	White,
Dunn,	Leisey,	Price,	Whitenight,
Erb,	Leonard,	Quisenberry,	Willaredt,
Ewing,	Leven,	Ragot,	Williams,
Farabaugh,	Light,	Readinger,	Wilt,
Fenrich,	Limper,	Reagan,	Wood,
Ferster,	Lippincott,	Reidenbach,	Yeakel,
Filo,	Lopresti,	Richter,	Yetzer,
Flack,	Lovett,	Rosen,	Young,
Fleischman,	Lutty,	Rovansek,	Zeitz,
Floyd,	Maguire,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Smith, C. C.,
Frost,		Sarraf,	Speaker

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline.			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 435 as follows:

An Act to add section 308 to the act approvad the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after section 307 thereof a new section to read as follows

Section 308 Adjustment for values of Improvements (a) Except as hereinafter provided whenever the boundaries of any townships have been altered and a portion thereof has been annexed by a borough or city the township shall be paid by such borough or city the following value of improvements located within the portion of the township so annexed (1) the value of all roads improved by the township within five years (2) the value of sewer systems constructed by the township within fifteen years (3) the value of public buildings and improvements other than roads and sewers The provisions of this section shall not apply to the value of any road sewer or facilities which has been assessed against the real property within the annexed territory

(b) The township shall not be reimbursed for any improvements the value of which has been assessed against abutting property-owners

(c) If any present indebtedness of the township exists by reason of any improvements located in annexed area and a city of the third class assumes a portion of said indebtedness as provided in section 540 of the act known as "The Third Class City Code" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) or a borough assumes a portion of said indebtedness as provided in section 702 of the act known as "The Borough Code" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) such payment on account of indebtedness shall be considered to be a credit to such city of the third class or borough on account of the cost of said improvement

(d) When ever an amicable settlement cannot be made on the amount to be paid as provided in subsection (a) of this section the court of quarter sessions upon application of the governing body of the city borough or township shall determine the amount to be paid

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Frost,	Mahan,	Sarraf,
Alexander,	Geer,	Markley,	Schmidt,
Amarando,	Gibson,	Mathews,	Schuster,
Andrews,	Gleason,	Maxwell,	Schwartz,
Ashton,	Glick,	McCann,	Scott,
Auker,	Gramlich,	McCormack,	Shoemaker,
Banker,	Greenwood,	McCullough,	Shotwell,
Barkdoll,	Guss,	McDermit,	Smith, W. B.,
Baumunk,	Gutendorf,	McGee,	Snider,
Bazin,	Guthrie,	McInroy,	Spencer,
Bear,	Hall,	McWherter,	Stank,
Blair,	Hamilton, R. K.,	Metz,	Stevenson,
Boles,	Hamilton, W. H.,	Mihm,	Stimmel,
Bolton,	Harris,	Mikula,	Stone,
Bomberger,	Haudenshield,	Miller,	Stoner,
Boory,	Helm,	Mills,	Strausser,
Bower,	Hersch,	Monroe,	Taylor,
Breisch,	Hewitt,	Moody,	Thomas,
Breth,	Hocker,	Moore,	Thompson,
Brown,	Hoggard,	Moran,	Toll,
Bucchin,	Ide,	Moscrip,	Tompkins,
Buchanan,	Jenkins,	Muldowney,	Toomey,
Bullen,	Jim,	Munley,	VanSant,
Capano,	Johnson,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Geo. E.,	Musto,	Varner,
Cioffi,	Jones, Gran'le E.	Naugle,	Vaughan,
Clapper,	Jones, Paul F.,	Needham,	Verona,
Cochran,	Jones, T. H. W.,	Ogilvie,	Wall,
Comer,	Jump,	Olsen,	Wallace,
Connelly,	Kamyk,	Parlante,	Walsh
Conner,	Keller,	Peifly,	Wargo,
Cooper,	Kent,	Peta,	Waterhouse,
Coyle,	Kerlin,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kubacki,	Polen,	White,
DuBois,	Lafore,	Poltenstein,	Whitenight,
Dunn,	Lederer,	Price,	Willaredt,
Erb,	Leisey,	Quisenberry,	Williams,
Ewing,	Leonard,	Ragot,	Wilt,
Farabaugh,	Leven,	Readinger,	Wood,
Fenrich,	Light,	Reagan,	Yeakel,
Ferster,	Limper,	Reidenbach,	Yetzer,
Filo,	Lippincott,	Richter,	Young,
Flack,	Lopresti,	Rosen,	Zeltz,
Fleischman,	Lovett,	Rovansek,	Ziegler,
Floyd,	Lutty,	Royer,	Smith, C. O.,
Flynn,	Maguire,	Rubin,	Speaker

NAYS—2

Seyler,	Sucher,

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RESOLUTION

CONDOLENCE

Messrs. GEORGE E. JONES and AUKER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 24, 1953.

On June 10, 1953, Roy J. Erb, brother of Daniel H. Erb, member of the House of Representatives, passed away.

Mr. Erb was born June 12, 1888 in Martinsburg, the son of William P. Erb and Susan Erb, formerly Susan Fouse.

He was married December 24, 1908 at Martinsburg to Frances Acker and leaves behind him in addition to his widow, two sons, ten grandchildren, two brothers and a sister.

He was an active member of the Clover Creek Lutheran Church and served as a teacher of the Men's Bible Class and a member of the official board for many years.

He was employed as a clerk by the House of Representatives since 1947. Always a faithful employe he spent many long hours in the performance of his duties for the benefit of those interested in legislation.

Because the death of Roy J. Erb creates such a void in the lives of his family and his many friends both in Harrisburg and home, therefore be it

Resolved, That the House of Representatives extend to his family in its bereavement, its heartfelt sympathies

and that a copy of this resolution be forwarded to Frances Acker Erb, his widow and to Daniel H. Erb, his brother.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. CIANFRANI asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. TAYLOR asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORT FROM COMMITTEE

Mr. GUTHRIE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1415, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 41.

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizinge the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; enlarging the jurisdiction and powers of said commission with respect to the acquisition, construction, administration, operation and maintenance of port and terminal facilities, the financing thereof, and the fixing, charging and collecting of tolls and other charges for the use of said port and terminal facilities; authorizing the issuance of negotiable bonds and obligations of the commission; providing for the designation of deputies to act and in behalf of absent ex-officio members of said commission from Pennsylvania; authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission; and hereafter constructed or acquired by said commission; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

SENATE BILL No. 165.

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

SENATE BILL No. 262.

An Act to further amend subsection (f) of Section 211.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by continuing the provisions of that section in effect for a further period.

SENATE BILL No. 292.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies

SENATE BILL No. 299.

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insur-

ance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

SENATE BILL No. 302.

An Act to amend section 308 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filing thereof.

SENATE BILL No. 312.

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

SENATE BILL No. 410.

An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs

SENATE BILL No. 416.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the powers and duties of the Department of Health, Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture.

SENATE BILL No. 446.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

SENATE BILL No. 447.

An Act to amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

SENATE BILL No. 465.

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by increasing the permitted amount of insurance coverage in certain cases

SENATE BILL No. 501.

An Act to further amend Sections 307 and 1501 of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board commis-

sion, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by further providing for disbursements from the Historical Preservation Fund.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT OF DEATH OF FORMER MEMBER

The SPEAKER. The Chair has learned with profound sorrow of the death of Honorable Harry P. O'Neill, who was for many years a Democratic Member of this House. The Chair thought it would like to inform the Members of Mr. O'Neill's death.

COMMITTEE MEETING

CITIES—COUNTIES 1st—2nd & 2nd CLASS A, Mr. Ewing, Chairman, Room 522, Thursday, June 25, at 9:30 a.m. DST.

ADJOURNMENT

Mrs. MUNLEY. Mr. Speaker, I move that this House do now adjourn until Thursday, June 25, 1953 at 9:00 a. m. EST.

The motion was agreed to, and (at 4:10 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., THURSDAY, JUNE 25, 1953. No. 55.

SENATE

THURSDAY, June 25, 1953.

The Senate met at 12:00 o'clock m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Almighty God, to Whom all hearts are open, all desires are known and from Whom no secrets are hid, we ask Thee to look upon us today with Thy divine spirit and to guide us to do our work so that it will be well pleasing to Thee; to give us courage and faith to go on in the days that lie ahead, always knowing that we work with Thee for those to whom Thou hast given us the command to work for.

Forgive us our sins and shortcomings and help us each day, when temptations come to take the easy way, to know that Thou are always at our side, that Thy nail-scarred hand is always reaching out to guide us if we but reach out and touch it. We ask it in the Master's Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a Republican Caucus.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 24 and 25, 1953.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Mrs. Kathryn M. Hahn, Germany Twp., Littlestown.

ALLEGHENY COUNTY

Mrs. Gloria P. Barr, Scott Twp.. Carnegie, Pittsburgh, 4055 Penn Avenue (24).

Miss Mary E. Jessup, Pittsburgh, 304 Diamond Street (22).

Mrs. Marie E. Nau, Pittsburgh, 429 Fourth Avenue (19).

Mrs. Elizabeth C. Netting, Bellevue, Pittsburgh (2).

Jack Palkovitz, McKeesport.

Miss Lorraine Rodgers, Pittsburgh, 7515 Columbia Avenue (6).

Andrew Sotak, Pittsburgh, 535 Fifth Avenue (19).

BEAVER COUNTY

E. M. Bango, Jr., Aliquippa.

Miss Glorine DiMuzio, Beaver Falls.

BERKS COUNTY

Mrs. Anna L. Mena, Shillington.

BUCKS COUNTY

Maurice H. Insley, Bristol Twp., Bristol.

John J. Schaub, Falls Twp., Levittown.

CLEARFIELD COUNTY

Mrs. Lois Berger, Chester Hill, P. O. Philipsburg.

Miss Doris Dungey, Sandy Twp., DuBois.

COLUMBIA COUNTY

Louis S. Jordan, Berwick.

CRAWFORD COUNTY

Miss Margaret M. Denda, Meadville.

DAUPHIN COUNTY

Roger C. Garrett, Harrisburg.
Miss Maude M. Ruby, Harrisburg.
Gerald G. Shupp, Harrisburg.

DELAWARE COUNTY

Mrs. Valeria G. Clements, Upper Chichester Twp., Boothwyn.
Peter J. Durkin, Jr., Chester.
Mrs. Rosemary Mulholland, Chester.
Mrs. Eleanor G. Weiner,, Haverford Twp., Havertown.

ERIE COUNTY

Raymond A. Graeca, Erie.
Miss Virginia H. MacDonald, Erie.

INDIANA COUNTY

Mrs. Emily C. Elliott, Armagh.

LACKAWANNA COUNTY

O. Peter Loretti, Dunmore.
John Pleska, Carbondale Twp., Childs.

LUZERNE COUNTY

Miss Margaret R. Fischer, Kingston.
Robert F. Schmach, Hazle Twp., Hazleton.

LYCOMING COUNTY

Elton R. Powley, Williamsport.

MONROE COUNTY

William L. Keefe, Stroudsburg.

MONTGOMERY COUNTY

Harold W. Cassel, Hatfield Twp.. Colmar.
Ralph McLaughlin, Norristown.
Alfred Pierce, Jr., Norristown.

MONROE COUNTY

Carl C. Riess, Barrett Twp., Cresco.

NORTHUMBERLAND COUNTY

Conrad G. Graeber, Shamokin.

PHILADELPHIA COUNTY

Alvah B. Adam, 1115 Western Saving Fund Bldg. (7).
Mrs. Jean E. Bell, 4948 North 5th St. (20).
John E. Bennis, 1139 Wakeling St. (24).
Miss Demetra M. Chios, 3400 Spruce St. (4).
Miss Edith M. DeFelice, 2235 Sigel St. (45).
Miss Hilda Larry, 100 S. Broad St. (10).
E. F. Manseau, 2653 Morris St. (45).
Mrs. Marie F. Morris, 2131 Ritner St. (48).
Victor Schwartz, 5200 Walnut St.
Charles Worley, 508-10 Walnut St. (6).
Mrs. Margaret R. Yarnall, 3330-32 N. Broad St.

WESTMORELAND COUNTY

Frank A. Cinti, Jeannette.
Alfred D'Alessio, Rostraver Twp., Belle Vernon.
E. R. Zetler, Lower Burrell Twp., New Kensington.

YORK COUNTY

Mrs. Margaret M. Butler, Springettsbury Twp., York.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Madge Hoy, Wilkinsburg, Pittsburgh (21).
James C. Mahon, Collier Twp., Bridgeville.
Miss Mae E. Menna, Wilkinsburg.
Miss Peggy O'Callaghan, Pittsburgh, 1735 Penn Avenue (22).
Mrs. Florence S. Sipe, Aspinwall, Pittsburgh (15).
Mrs. Charlotte B. Winters, Jefferson, Clairton.

BRADFORD COUNTY

Mrs. Dorothy B. Eighmey, Troy.

BUCKS COUNTY

Miss Marion V. Gallagher, Newtown.

CAMBRIA COUNTY

Miss Caroline Falchini, Ebensburg.

CLINTON COUNTY

Lester C. Patterson, Castanea Twp., Castanea, Lock Haven.

ELK COUNTY

F. J. Ehrensberger, St. Marys.

ERIE COUNTY

George H. Benson, Erie.
Mrs. Esther J. Sullivan, Erie.

FAYETTE COUNTY

Anthony T. Kujawa, Connellsville.

LANCASTER COUNTY

Harold W. Budding, Lancaster.
Charles R. Buckius, Lancaster Twp., Lancaster.

LEHIGH COUNTY

Mrs. Shirley J. Warmkessel, Allentown.

MONTGOMERY COUNTY

James L. Nelson, Lansdale.

PHILADELPHIA COUNTY

Mrs. Mary M. Archinal, Byberry Hall, Byberry Rd., Torresdale, Phila.
Eugene L. Betz, 6001 Oxford St. (31).
Paul Denaro, 2109 South 21st St. (45).
Joseph D. O'Donnell, 7542 Sherwood Rd. (31).

SOMERSET COUNTY

Reese Lichliter, Salisbury.

TIOGA COUNTY

Mrs. Katherine E. Lamphier, Westfield Twp., Westfield.

WASHINGTON COUNTY

Robert B. Pizzica, Monongahela.

WESTMORELAND COUNTY

Frank Fenton, Irwin.
Miss Julia A. Rossi, Greensburg.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. PEELER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 50

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 50, entitled:

An Act to further amend section 306 and to amend subsection A of section 318 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes and providing for the powers duties and liabilities of such trustees.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 216

He also returned to the Senate, Senate Bill No. 216, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provisions of the act and changing the date on which the period of redemption commences to run on tax claims.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 217

He also returned to the Senate, Senate Bill No. 217, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivisions affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 218

He also returned to the Senate, Senate Bill No. 218, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidatng building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 228

He also returned to the Senate, Senate Bill No. 228, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts

and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 322

He also retruned to the Senate, Senate Bill No. 322, entitled:

An Act to amend the title and sections 1 and 2 of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 325

He also returned to the Senate, Senate Bill No. 325, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 349

He also returned to the Senate, Senate Bill No. 349, entitled:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioners and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 525

He also returned to the Senate, Senate Bill No. 525, entitled:

An Act to amend the title and the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation

with the information that the House has passed the same without amendments.

SENATE BILL No. 323 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 323, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments prior to and after the establishment of the permanent record system required by law

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 324 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 324, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and impos-

ing duties upon courts district attorneys and probation officers

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 435 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 535 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 535, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when and how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 226, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing the reassessment of certain property in townships of the first class in certain cases, and imposing liability for township taxes upon the owners thereof.

Which was committed to the Committee on Local Government.

House Bill No. 305, entitled:

An Act to further amend Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by designating employes of the County Planning Commission as county employes.

Which was committed to the Committee on Local Government.

House Bill No. 492, entitled:

An Act authorizing justices of the peace aldermen and magistrates to perform official duties of other justices of the peace aldermen and magistrates in the same county during certain periods of illness and vacation and providing penalties

Which was committed to the Committee on Local Government.

House Bill No. 643, entitled:

An Act to regulate the business of private detectives investigators and watch guard or patrol agencies and the licensing thereof in each county providing penalties

Which was committed to the Committee on Judiciary General.

House Bill No. 651, entitled:

An Act to further amend the act, aproved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisidiction on certain courts over rates," by providing for increase in member and change in term of members of Authority Boards.

Which was committed to the Committee on State Government.

House Bill No. 738, entitled:

An Act to further amend Section 28 of the act, approved the thirtieth day of March, one thousand nine hundred

thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by providing that removal notices may be filed by registered electors moving from one election district to another within the same county.

Which was committed to the Committee on Elections.

House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties

Which was committed to the Committee on State Government.

House Bill No. 769, entitled:

An Act to add Section 141.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing county treasurers to appoint their own solicitors

Which was committed to the Committee on Local Government.

House Bill No. 778, entitled:

An Act relating to the burden of proof in actions of defamation.

Which was committed to the Committee on Judiciary General.

House Bill No. 782, entitled:

An Act concerning actions for libel slander or other torts barring certain actions regulating the recovery of damages and making uniform the law with reference thereto

Which was committed to the Committee on Judiciary General.

House Bill No. 850, entitled:

An Act empowering a court in which is pending an action on behalf of the estate of a decedent to make an order approving a compromise or settlement of such action and to approve an agreement for counsel fees and other proper expenses incident to such action and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 865, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

Which was committed to the Committee on Judiciay General.

House Bill No. 1114, entitled:

An Act to add clause (n) to Section 1802 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers' Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges on land under its jurisdiction.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1115, entitled:

An Act to amend subsection (f) of Section 906 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consoidating, and changing the law relating thereto," by authorizing the Pennsylvania Game Commission to grant certain privileges on land under its jurisdiction.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1150, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven

(P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating in elections" by changing the provisions relating to the time for holding special elections for Representatives in Congress and Senators and Representatives in the General Assembly and for certifications by the Secretary of the Commonwealth to County Boards of Elections with respect to the nominees for certain offices to be filled at special elections and providing for the holding of special elections to fill vacancies in offices of political subdivisions and for nominating candidates therefor

Which was committed to the Committee on Elections.

House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

Which was committed to the Committee on Agriculture.

House Bill No. 1264, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for plans of school building, admission of beginners, enumeration of children, cost of education of blind children, half-day school sessions, district teaching units, and payments by the Commonwealth for rentals, additional units and closed schools, and transportation; requiring issuance of high school certificates and approval of joint schools; providing penalties on school districts; and making corrections and supplying omissions.

Which was committed to the Committee on Education.

House Bill No. 1295, entitled:

An Act providing for joint action by the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania in developing utilizing controlling and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply authorizing the Governor for these purposes to enter into a compact with the States of New Jersey Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent thereto creating the Delaware River Basin Water Commission and specifying the powers and duties thereof including the power of eminent domain and the power to finance projects by the issuance of bonds providing for the appointment of the Pennsylvania members of the said Commission approving an integrated water project requiring the Commission to prepare and report plans and specifications for specific projects and requiring certain prior approvals by the Legislatures of the compacting States

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1368, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing provisions relating to voting by persons in actual military service when present in their districts of resident in which ballots are used.

Which was committed to the Committee on Elections.

House Bill No. 1419, entitled:

An Act to amend Section 14 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Development Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent demain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by removing the requirement for approval of the Department of Internal Affairs covering obligations of the Authority.

Which was committed to the Committee on State Government.

House Bill No. 1420, entitled:

An Act to amend Section 6 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1633) entitled "An act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation" by changing limitation as to tenant admissions in urban redevelopment projects.

Which was committed to the Committee on Local Government.

House Bill No. 1421, entitled:

An Act to amend Section 12 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties

including the acquisition of property by puchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments by providing for the admission of certain evidence before the board of view or the court of common pleas.

Which was committed to the Committee on Local Government.

House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1440, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

Which was committed to the Committee on Public Health and Welfare.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 951

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by requiring supervisors to fix certain compensation of the township secretary, clarifying certain provisions relating to compensation of township auditors, authorizing certain training of policemen at township expense, increasing powers of supervisors to regulate garbage and rubbish, authorizing erection of parking meters and regulation of parking meter charges, providing for township acquisition and control of abandone cemeteries, regulating the adoption of fire prevention codes, authorizing cooperation with other political subdivisions in promotion of health, authorizing control of disorderly practices, changing taxing powers of townships and the provisions of the act relating to public parks, recreation places and facilities and park and recreation boards.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by requiring supervisors to fix certain compensation of the township secretary, clarifying certain provisions relating to compensation of township auditors, authorizing certain training of policemen at township expense, increasing powers of supervisors to regulate garbage and rubbish, authorizing erection of parking meters and regulation of parking meter charges, providing for township acquisition and control of abandoned cemeteries, regulating the adoption of fire prevention codes, authorizing cooperation with other political subdivisions in promotion of health, authorizing control of disorderly practices, changing taxing powers of townships and the provisions of the act relating to public parks, recreation places and facilities and park and recreation boards.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Education, reported as committed Senate Bill No. 443, entitled:

An Act to amend Section 785 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the payment to the State Public School Building Authority by the State Superintendent of Public Instruction of the State appropriations withheld for nonpayment of rental by school districts.

He also, from the Committee on Education, reported as committed Senate Bill No. 444, entitled:

An Act to further amend the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation," by authorizing the sale of refunding bonds without advertisement or competitive bidding.

Mr. PEELOR, from the Committee on Judiciary General reported as committed House Bill No. 204, entitled:

An Act to amend Section 2 of the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control,

trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising, and consolidating the law relating thereto," by giving juvenile courts jurisdiction during vacation.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provided an adsectum judgment index and fixing the fees of the prothonotaries therefor.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 475, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

He also, from the Committee on Judiciary General, reported as amended House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1059, entitled:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified coopies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payments by counties

Mr. McPHERSON, Jr., from the Committee on Insurance, reported as amended Senate Bill No. 296, entitled:

An Act to further amend Section 354 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by requiring approval of policies other than certain fire and marine policies issued by domestic mutual fire insurance companies.

Mr. KESSLER, from the Committee on Labor and Industry, reported as committed Senate Bill No. 485, entitled:

An Act to amend section seven hundred three of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the forwarding of certain benefit checks to the Department of Public Assistance.

Mr. KOPRIVER, JR., from the Committee on Local Government, reported as amended Senate Bill No. 404, entitled:

An Act to amend the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred twenty-one (P. L. 579), entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safekeeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," by extending the provisions thereof to counties of the fifth class.

He also, from the Committee on Local Government, reported as amended House Bill No. 612, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of third class A cities.

He also, from the Committee on Local Government, reported as amended House Bill No. 613, entitled:

An Act authorizing cities of the third class A to adopt the city manager plan of government providing for referendums providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials and courts of common pleas

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 695, entitled:

An Act fixing the salary of jury commissioners in counties of the second class.

He also, from the Committee on Local Government, reported as committed House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of services for policemen

He also, from the Committee on Local Government, reported as committed House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases.

He also, from the Committee on Local Government, reported as committed House Bill No. 1352, entitled:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases.

BILL RE-REFERRED

He also, from the Committee on Local Government, reported as committed House Bill No. 151, entitled:

An Act providing for the establishment of police pension funds or pension annuities in borough towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts

Which was re-referred to the Committee on State Government.

REPORTS FROM COMMITTEE

Mr. RUTH, from the Committee on Education, reported as committed Senate Bill No. 571, entitled.

An Act to amend clause (2) of section 204 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the provisions relating to change of classification of school districts.

He also, from the Committee on Education, reported as amended Senate Bill No. 576, entitled:

An Act defining and providing for the licensing of water well drillers conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties.

He also, from the Committee on Education, reported as amended Senate Bill No. 682, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," by further prescribing the powers of the board, prescribing certain educational requirements, further providing for the issuance of reciprocal certificates and further defining certain unlawful acts.

He also, from the Committee on Education, reported as committed Senate Bill No. 692, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits to school employes resigning from school service to enter the armed forces of the United States.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew C. Long, 660 Center Street, Shamokin, Northumberland County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1961, and until his successor shall have been appointed and qualified, vice Harold Moltz, Williamsport, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

William Y. Naill, R. D. No. 1, Hanover, York County, for appointment as Justice of the Peace in and for the Township of Penn, York County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 710, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth courts county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by permitting candidates to be nominated by more than one political party.

Which was committed to the Committee on Elections.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 711, entitled:

An Act to amend Section 908 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled the "Public Utility Law of 1937," by providing for the periodic inspection of facilities used by public utilities for the transportation of passengers.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 712, entitled:

An Act authorizing the suspension of certain local police officers for failure to discover and report bawdy or gambling houses in the locality over which they have supervision or for their failure to take other appropriate action with respect thereto in any cases in which the Pennsylvania State Police, county detectives, sheriffs or enforcement agents of the State have made arrests for the keeping of such bawdy or gambling houses.

Which was committed to the Committee on Law and Ordeer.

Mr. WATKINS, on behalf of Mr. WATSON, read in his place and presented to the Chair Senate Bill No. 713, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating the passing of school buses and the unloading of passengers therefrom.

Which was committed to the Committee on Highways.

SENATE RESOLUTION

CONGRATULATING BASEBALL TEAM OF LAFAYETTE COLLEGE, COACH CHARLES GELBERT, DIRECTOR OF ATHLETICS WILLIAM H. ANDERSON, AND ANNOUNCER TED PIERCE, RADIO STATION WEST, FOR THEIR EFFORTS IN CONJUNCTION WITH WINNING THE DISTRICT II CHAMPIONSHIP, NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Mr. YOSKO offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 25, 1953.

Whereas, all outstandingly successful endeavors, including those in athletics, are worthy of commendation, and

Whereas, the baseball team of Lafayette College in Easton, Northampton County, Pennsylvania, has recently completed a fruitful baseball season, having won the District II championship, National Collegiate Athletic Association, by defeating the Pennsylvania State College and the University of Pittsburgh, and thus qualified to participate in the Collegiate World Series in Omaha, Nebraska, June 11 to 16, 1953, and

Whereas, during the Collegiate World Series, Lafayette College, with an enrollment of 1,350, engaged in competition with other schools having much higher enrollments —such as the University of Texas, Stanford University, Boston College, University of Michigan, Duke University and Colorado State—and

Whereas, Lafayette College's baseball team, through a splendid exhibition of skill and athletic prowess, reached the semi-final playoff in this college classic, therefore, be it

Resolved, that the Senate of Pennsylvania hereby extends to the members of the Lafayette College baseball team its sincere congratulations upon an outstanding performance and a splendid display of sportsmanship and commends them for the credit reflected not only upon the College they represented but upon the State of Pennsylvania as a whole, and be it further

Resolved, that Lafayette's coach, Charles Gelbert, former second baseman of the St. Louis Cardinals, be commended for his fine coaching abilities and for the true spirit of sportsmanship he instilled into his team, and be it further

Resolved, that commendation also be extended to William H. Anderson, Director of Athletics at Lafayette College for his outstanding direction and wholehearted support, and be it further

Resolved, that Announcer Ted Pierce and Radio Station WEST, Easton, be commended for bringing play-by-play descriptions of the Collegiate World Series games to the people of Eastern Pennsylvania; a contribution that helped immeasurably to enhance love for the National Game and support for the Lafayette College team, and be it further

Resolved, that copies of this resolution, properly signed and inscribed, be sent to Coach Gelbert, Director of Athletics Anderson and Announcer Pierce by the Secretary of the Senate as a token of the esteem in which they and their efforts in behalf of sportsmanship are held by this august body.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Andrew C. Long, 660 Center Street, Shamokin, Northumberland County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1961, and until his successor shall have been appointed and qualified, vice Harold Moltz, Williamsport, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Y. Naill, R. D. No. 1, Hanover, York County, for appointment as Justice of the Peace in and for the Township of Penn, York County, until the first Monday of January 1954, to fill a vacancy

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Chapman,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON FINAL PASSAGE

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 255, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 281, entitled:

An Act authorizing corporations to grant stock options to officers and employes and pensions and allowances to officers employes and their surviving spouses under certain circumstances validating stock options pensions and allowances heretofore granted and repealing inconsistent laws.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 281

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 281, entitled:

An Act authorizing corporations to grant stock options, pensions, and allowances to officers and employes under certain circumstances; validating stock options, pensions, and allowances heretofore granted; and repealing inconsistent laws.

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. McPHERSON, JR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McPHERSON, JR. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 281, Printer's No. 336, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that the following bills, on third reading, go over in their order:

Senate Bill No. 480, Printer's No. 341
House Bill No. 573, Printer's No. 226,
House Bill No. 574, Printer's No. 221,
Senate Bill No. 590, Printer's No. 315 and
Senate Bill No. 591, Printer's No. 310.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 631, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to zoning ordinances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4114 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby repealed

Section 2 Said act reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended by adding after Section 4113 thereof a new section to read as follows

Section 4114 Amendments to Zoning Ordinances The regulations restrictions and the classifications of building structures and land and the manner of establishing the boundaries of zones contained in the zoning ordinance may from time to time and after public notice and hearing be amended supplemented or changed by city council

After the introduction of any bill proposing amendment supplement or change in the zoning ordinance city council shall refer such bill to the City Planning Commission for review A report on said review together with any recommendations shall be given to city council in writing within fifteen (15) days from the date of said referral If the Planning Commission shall fail to file such a report within the specified time and manner it shall be conclusively presumed that the Planning Commission has approved the proposed amendment supplement or change

Thereupon council shall fix a time for public hearing and notice of such public hearing shall be published in at least one newspaper of general circulation in the city three (3) consecutive times the first insertion to appear at least ten (10) days prior to the date fixed for said public hearing

An affirmative vote of at least four (4) members of council shall be required to pass the proposed amendment supplement or change

Upon final approval of the ordinance adopted in accordance with the above said ordinance shall be forthwith published in accordance with the provisions of section 1014 of this act relating to publication of ordinances prescribing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 671, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice changing the title of certain boards of trustees and defining their duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Departments of Justice and Welfare of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the

twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Justice

Board of Pardons

Board of Commissioners on Uniform State Laws [;]

Board of Trustees of Eastern State Penitentiary

Board of Trustees of Western State Penitentiary

Board of Trustees of the State Penitentiary at Rockview

Board of Trustees of the State Penitentiary at Graterford

Board of Trustees of the State Penitentiary at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

* * * * *

In the Department of Welfare

State Council for the Blind

[Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview]

Board of Trustees of the Pennsylvania Training School for Girls

[Board of Trustees of State Industrial Home for Women]

Board of Trustees of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Broad of Trustees of Harrisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

Board of Trustees of Laurelton State Village

Board of Trustees of Pennhurst State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the ..... (descriptive name of political subdivision in which institution is located)

State Hospital

* * * * *

Section 2 Article nine of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding immediately following section nine hundred fifteen a new section to read as follows

Section 916 Boards of Trustees of State Institutions The boards of trustees of each State institution within the Department of Justice and the Commissioner of Correction shall have general direction and control of the property and management of such institutions Together they shall have the power and their duties shall be

(a) Subject to the approval of the Governor to appoint a superintendent or warden of the institution who shall subject to the authority of the board and the Commissioner of Correction administer the institution in accordance with law

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of the employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Department of Justice to make such by-laws rules and regulations for the management of the institution

The Governor by Executive Order shall designate which of the powers and duties referred to above shall be exercised by the Commissioner of Correction and which shall be exercised by the boards of trustees Said order need not be uniform or applicable to all institutions

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 965, as follows:

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidat-

ing and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amendel by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after Article XX thereof a new article to read as follows

Article XX-A

Township Planning Commission

Section 2051 Creation and Appointment of Planning Commission Residence of Commissioners Removal The board of supervisors may create and establish by ordinance a township planning commission consisting of five (5) members The members of the planning commission shall be appointed by the supervisors for terms of five (5) years except that the terms of the members first appointed shall be so fixed that one (1) member shall be appointed for one (1) year one for two (2) years one for three (3) years one for four (4) years and one for five (5) years and annually thereafter a member of said commission shall be appointed for a term of five (5) years The members shall hold no other township office except that of member of the township zoning commission or the township zoning board of adjustment An appointment to fill a vacancy shall be only for the unexpired portion of the term All members of the commission shall reside within the township They shall serve without compensation but may be reimbursed for necessary expenses The board of supervisors may after a public hearing remove any member or members of the planning commission for inefficiency neglect of duty or malfeasance in office

Section 2052 Organization Staff Contracts and Expenditures Rules and Regulations (a) The township planning commission shall elect its own chairman and create and fill such other offices as it may determine The commission may make and alter rules for its procedure consistent with the ordinances of the township and the laws of the Commonwealth It shall keep a record of its resolutions transactions findings and determinations which record shall be a public record

(b) The board of supervisors creating a planning commission shall appropriate from the general township fund in the same manner as other appropriations are made such money as in its opinion is necessary and is available for the work of the planning commission for the year in which the appropriation is made

(c) The planning commission may appoint such employes and staff as it may deem necessary for its work and may contract with planners and other consultants for such technical services as it may require

(d) As an aid to coordination of municipal planning and with the consent of the township supervisors the planning commission may enter into joint agreements with county regional or other planning agencies covering cooperative financing of planning studies and such other cooperative relationships as are necessary to attain the objectives of this article

(e) These and such other expenditures as may be necessary and proper shall be within the amount appropriated for the purpose by the board of township supervisors or placed at the commission's disposal from other sources

Section 2053 Development Plan Adoption (a) The planning commission shall prepare and adopt a plan of development for the township The plan with accompanying maps charts drawings and descriptive matter shall show the commission's recommendation for the development of the township It may show the commission's recommendations for the most desirable use of land for agricultural residential recreational commercial industrial and other purposes for the most desirable density of population in the several parts of the townships for a system of principal thoroughfares parkways bridges streets and other public ways for airports parks playgrounds and public grounds for the general location and extent of facilities for water sewage light power transit and other purposes whether publicly or privately owned for the general location character and extent of community centers and neighborhood units and for the replanning of blighted and slum areas for the extent and location of public projects and for such other things as in the opinion of the commission are of public concern

(b) The development plan shall be based on studies of the physical social economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of the township and the general welfare and prosperity of its people

(c) As the work of preparing the whole development plan progresses the commission may from time to time adopt parts thereof any such part to cover one or more major sections or divisions of the township or one or more of the functional matters to be included in the plan The commission may from time to time amend extend or add to the development plan The planning commission shall wherever possible cooperate with the county planning commission if one exists It shall be the duty of the commission to file a copy of all maps and plans and amendments thereto adopted by the commission with the county planning commission within thirty (30) days of the completion of such maps or plans

Section 2054 Official Map and Procedures Relative Thereto (a) The board of supervisors may establish as the official map of the township any part of the development plan with respect to the location and width of streets highways and parkways and the location and extent of public parks and playgrounds Establishment shall be by ordinance after public hearing with notice of such public hearing to be published in a newspaper of general circulation in the township at least ten (10) days prior to the hearing Such map subject to amendments as hereinafter provided is to be deemed official and conclusive as regards the above subject matter and is hereby declared to be established to conserve and promote the public health safety morals and general welfare

(b) The planning commission shall have power to make or cause to be made from time to time surveys for the exact location of the lines of new extended widened or narrowed streets the newly proposed or changed outer limits of parks playgrounds freeways and parkways in the whole or any portion of the township and to certify to the board of supervisors a plat or plats of the areas thus surveyed on which are indicated the location of the lines recommended by the planning commission as the mapped boundaries of future public areas for placing on the official map of the township

(c) The board of supervisors may be resolution whenever and as often as it may deem it for the public interest change or add to the official map of the township Before changing or adding to the official map the matter shall be referred to the planning commission for its recommendation If the planning commission shall not make its recommendation thereon within thirty (30) days after such reference it shall be deemed to consent thereto

(d) Upon the receipt of the recommendation of the planning commission or upon the expiration of thirty (30) days after reference to the planning commission the board of supervisors may hold a public hearing on the proposed change in or addition to the official map and if such hearing is to be held shall cause notice of the hearing to be published in a newspaper of general circulation in the township at least ten (10) days prior to the date of the hearing At such public hearing all interested parties shall be given an opportunity to present their views prior to the final vote upon the resolution providing for the change in or addition to the official map Upon final passage of the resolution the changes or additions shall become a part of the official map of the township

(e) The acceptance or approval by the township under the provisions of laws other than those contained in this section of the locating laying out widening or closing of any public way or area designated above as part of the official map shall be deemed to be a change or addition to the official map The placing of a boundary line of any public way or area upon the official map shall in no way constitute an opening establishment taking or acceptance of any land for a public use

(f) For the purpose of preserving the integrity of the official map of the township no permit shall be issued for any building in the bed of any street shown or laid out on the official map except that when the property of the applicant of which such reserved location forms a part cannot yield a reasonable return to the owner unless such permit be granted the zoning board of adjustment in any township which has established such a board may in a specific case by the vote of a majority of its members grant a permit for building in such street which will as little as practicable increase the cost of opening such street or tend to cause a change of the official map and the board shall impose reasonable requirements as a condition of granting the permit so as to promote the health morals safety and general welfare of the public In any township in which there is no board of adjustment the board of supervisors shall have the same powers and be subject to the same restrictions as provided in this section

(g) No public sewer water main or other township street utility or improvement shall be constructed in or so as to serve any street highway parkway playground or park until the street highway parkway playground or park is duly placed on the official map

(h) No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on the official map Where the enforcement of the provision of this section would entail practical difficulty or unnecessary hardship and where the circumstances of the case do not require the structure to be related to existing or proposed streets or highways the applicant for the permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any township which has established such a board or in townships where there is no board of adjustment to the board of supervisors and the same provisions shall apply to such appeals and to such board as are provided in cases of appeals on zoning regulations The board may in passing on such appeal make any reasonable exception and issue the permit subject to conditions that will protect any street or highway layout

Section 2055 Land Subdivisions (a) When subdivision regulations have been adopted by the township supervisors under authority granted by Article XII-A of the Second Class Township Code the supervisors before approving plans for proposed subdivisions shall refer such plans to the planning commission if any for its recommendation

(b) If the planning commission shall not make its recommendation thereon within thirty (30) days after such reference it shall be deemed to consent thereto

Section 2056 Zoning In any township where a township planning commission has been or shall be established the board of township supervisors may in lieu of establishing a zoning commission as provided in Article XX of the Township Code confer and impose on the township planning commission all of the powers and duties conferred by this act upon township zoning commissions

Section 2057 Miscellaneous Powers (a) The township planning commission may make reports and recommendations to the Board of Supervisors agencies and citizens regarding public and private improvements in relation to its plans and general community development It may publish the development plan or sections thereof and such other reports and recommendations as in the opinion of the commission are necessary to attain the objectives of this article The commission may yearly recommend to the supervisors a long-range program of public improvements together with a long-range financial plan

(b) All public officials shall upon request furnish to the commission such available information as the commission or its staff may require for its work

(c) The commission or its employes may while performing necessary work enter upon any land in order to examine or survey it or to place and maintain necessary temporary markers thereon

(d) In general the planning commission shall have such powers as will reasonably enable it to carry out its purpose and promote township planning

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1172, as follows:

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1907) is hereby further amended to read as follows

Section 2001 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships of the second class the supervisors are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purposes and may also establish and maintain building lines and set back building lines upon any or all public roads or highways The power hereby granted shall be suspended in any township or part of a township dur-

ing any period of time that any zoning ordinance adopted to law by the county commissioners of the county shall continue to be in effect in such township or part of a township and any ordinance adopted by any township before the adoption of such county ordinance shall likewise be suspended during such period [The] No ordinance shall be adopted to carry out the power hereby granted [shall not be exercised] during the period of two years immediately after the date when taxpayers whose property valuation as assessed for tax purposes within the township amounts to fifty-one per centum or more of the total property valuation as assessed for tax purposes within the township shall sign and file in the office of the prothonotary of the county in which the ownership is located a written protest against the exercise of such powers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1271, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 545 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current year authorized in sections 515 and 540 hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officer whose act error or omission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive [five] ten dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township but in no event shall be entitled to receive more than two hundred ($200) for any calendar year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1285, as follows:

An Act to further amend subsection (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution district cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies on sureties on bonds of tax collectors.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax

collectors courts and various officers of said political subdivisions and prescribing penalties" as last amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 314) are hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

* * * * *

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least [two sufficient sureties or] one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to the amount hereinbefore prescribed

(b.1) In boroughs towns and townships of the second class and after the thirty-first day of December one thousand nine hundred fifty-three in townships of the first class [where the surety on a tax collector's bond or on the bond of a township treasurer as tax collector is a bonding company] the premium on the bond shall be paid by the respective taxing districts Each taxing district shall be liable to pay that percentage of the bond premium as the total taxes charged in the duplicate of the taxing district bears to the total taxes charged in the duplicate of all of the taxing districts In any case where a tax collector is required to furnish additional bond the premium on such additional bond shall be paid by the taxing district which petitioned the court for the additional bond Prior to the first day of January one thousand nine hundred fifty-four where the surety on a tax collector's bond in a township of the first class is a bonding company any taxing district may pay its percentage of the bond premium as above provided

* * * * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 500, entitled:

An Act to amend the Act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need burial contracts.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. McPHERSON, JR., offered the following amendments:

Amend Section 2, page 3, line 15, by inserting after the word "furnish" and before the word "supplies" the word: "funeral"; amend Section 2, page 3, line 16, by striking out after the word "or" and before the word "services" the word: "funeral"; amend Section 2 (Section 13), page 3, line 17, by inserting after the word "thereof": "if any such licensed funeral director shall accept any such money he shall forthwith either deposit the same in an escrow account in or transfer the same in trust to a banking institution in this commonwealth conditioned upon its withdrawal or disbursement only for the purposes for which such money was accepted".

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. McPHERSON, JR., offered the following amendment:

Amend Title, Page 2, last line of Title, by striking out the word "burial" and inserting in lieu thereof: "funeral service".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. McPHERSON, JR. Mr. President, I ask unanimous consent that House Bill No. 500, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act to amend Section 2 of the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by giving juvenile courts jurisdiction during vacation.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act to further amend Section 354 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by requiring approval of policies other than certain fire and marine policies issued by domestic mutual fire insurance companies.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 404, entitled:

An Act to amend the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" by extending the provisions thereof to counties of the fifth class.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide as ad-sectum judgment index and fixing the fees of the prothonotaries therefor.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 443, entitled:

Au Act to amend Section 785 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereo," by requiring the payment to the State Public School Building Authority by the State Superintendent of Public Instruction of the State appropriations withheld for nonpayment of rental by school districts.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act to further amend the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation," by authorizing the sale of refunding bonds without advertisement or competitive bidding.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees

trustees and other fiduciaries except personal representatives and precribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed guaranteed by International Bank for Reconstruction and Development.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 485, entitled:

An Act to amend section seven hundred three of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service bases; requiring employers to keep records and make reports, and certain employers to pay constributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the forwarding of certain benefit checks to the Department of Public Assistance.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

And said bill having been read at length the first, time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act to amend clause (2) of section 204 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by exetnding the provisions relating to change of classification of school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 576, entitled:

An Act defining and providing for the licensing of water well drillers conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 612, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of third class A cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 613, entitled:

An Act authorizing cities of the third class A to adopt the city manager plan of government providing for referendums providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials and courts of common pleas.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by further prescribing the powers of the board prescribing certain educational requirements further providing for the issuance of reciprocal certificates and further defining certain unlawful acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 692, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits to school employes resigning from school service to enter the armed forces of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 695, entitled:

An Act fixing the salary of jury commissioners in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1059, entitled:

An Act to amend Section 1 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names; and making certified copies of their election evidence in all cases," by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of services for policemen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1352, entitled:

An Act to further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collecton; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by limiting review of tax returns and imposition of additional taxes in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. BERGER. Mr. President, I move that the Senate do now take a recess for thirty minutes, for the purpose of awaiting communications.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER (John M. Walker) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 25, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 6, 1953, at 3:00 o'clock p. m. E. S. T., unless sooner reconvened by the President pro tempore

of the Senate, and when the House of Representatives adjourns this week, it reconvene on Monday, June 29, 1953 at 3:30 p. m. E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

CONGRATULATING JOHN A. STEPHENS AND DAVID J. McDONALD FOR THEIR SUCCESSFUL LABOR-MANAGEMENT NEGOTIATIONS

Mr. HOLLAND. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. HOLLAND, WALKER, BARR, FLEMING, KOPRIVER, JR. and McGINNIS offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 25, 1953.

Whereas, in a world torn with strife and disputes, peaceful labor negotiations and amicable decisions are not given the same recognition as are the failure of negotiations which result in bitter strife, and

Whereas, just recently, actual demonstration of good leadership on the part of both labor and management was manifested in the reopening of the present labor contract, existing between the United States Steel Corporation and the United Steelworkers of America, to adjust existing wage inequities, and

Whereas, the two outstanding leaders responsible for the successful negotiations are John A. Stephens, Vice President of the United States Steel Corporation, and the newly elected President of the United Steelworkers of America, David J. McDonald, and

Whereas, both of these gentlemen showed restraint of differences and commendable statesmanship for the mutual security and good of not only the workers but of those persons who have made possible the financial being of this great corporation, so

Therefore Be It Resolved that the Members of the Senate of the Commonwealth of Pennsylvania consisting of duly elected representatives of the people of Pennsylvania do recognize the integrity, sincerity, and ability of David J. McDonald, President of the United Steelworkers of America, and John A. Stephens, Vice President of the United States Steel Corporation, and commend these gentlemen for the part they played in furnishing leadership to their respective components of Labor and Management and the example they set in showing that labor negotiatings can be successfully culminated in an atmosphere of free collective bargaining, with justice and equity to all, and

Be It Further Resolved, that the Membership of the Senate of Pennsylvania congratulate Mr. McDonald and Mr. Stephens and extend their wishes that the successful negotiations just completed will be the forerunner of future pleasant relations in which the rights of labor and rights of management shall be fully recognized in such a way that American Labor and American Management can be pointed to by the people of the world as an example of the workings of a free nation whose ultimate purpose is to secure an economic way of life for all her people—a way of life worth living, and

Be It Further Resolved that a copy of this Resolution be sent to David J. McDonald and John A. Stephens by the Secretary of the Senate.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, June 25, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 6, 1953, at 3:00 o'clock p. m. E. S. T., unless sooner reconvened by the President pro tempore of the Senate, and when the House of Representatives ajourns this week, it reconvene on Monday, June 29, 1953 at 3:30 p. m. E. S. T.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, July 6, 1953, at 3:00 o'clock p. m., Eastern Standard Time, unless sooner reconvened by the President pro tempore of the Senate.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:44 o'clock p. m., Eastern Standard Time, until Monday, July 6, 1953, at 3:00 o'clock p. m., Eastern Standard Time, unless sooner reconvened by the President pro tempore of the Senate.

HOUSE OF REPRESENTATIVES

THURSDAY, June 25, 1953

The House met at 9:00 a. m. E.S.T.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, Who alone canst quicken Thy servants to hear Thee and obey, we pray for all the Members of the Assembly of this State, that they may be cleansed by Thy Spirit from all unworthiness, and that by thought and prayer they may make ready to take counsel for Thy people with courage, love and true godliness; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, June 24, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, June 24, 1953 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. VAUGHAN. HOUSE BILL No. 1490.

An Act to amend Section 5 of the act, approved the first day of February, one thousand eight hundred sixty-six (P. L. 8), entitled "A supplement to an act, entitled 'An Act for the better management of the Allegheny County prison,' approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five," by further regulating the transfer or removal of inmates from jails in Allegheny County and further providing for the transfer of mentally ill inmates to State Mental Hospitals.

Referred to the Committee on Welfare.

By Mr. GIBSON. HOUSE BILL No. 1491.

An Act to further amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the refund of the proceeds of certain escheated estates credited to the State School Fund of Pennsylvania, and making appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. COCHRAN. HOUSE BILL No. 1492.

An Act to add Section 699.8 to Article VI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the institution or conducting of certain criminal proceedings or prosecutions by attorneys-at-law.

Referred to the Committee on Judiciary.

By. Mr. COCHRAN. HOUSE BILL No. 1493.

An Act to add Section 2553 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the Commonwealth of Pennsylvania to pay rentals owed by districts operating joint schools, directly to authorities.

Referred to the Committee on Education.

By Mr. MOODY. HOUSE BILL No. 1494.

An Act regulating the operation of motor buses transporting passengers on the Pennsylvania Turnpike and on any of its extensions.

Referred to the Committee on Motor Vehicles.

By Mr. WILBUR H. HAMILTON. HOUSE BILL No. 1495.

An Act to amend Section 2 of the act approved the tenth day of May one thousand nine hundred fifty-one (P. L. 237) entitled "An Act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

Referred to the Committee on Education.

By Mr. BROWN. HOUSE BILL No. 1496.

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the amount of retirement allowances and fixing the maximum amount of payments by employes into the pension fund.

Referred to the Committee on Cities—Third Class.

By Mr. BROWN. HOUSE BILL No. 1497.

An Act to further amend Section 2403 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing city managers and prescribing their powers and duties.

Referred to the Committee on Cities—Third Class.

By Mr. KENT. HOUSE BILL No. 1498.

An Act limiting the hours of employment of employes of State institutions within the Department of Health.

Referred to the Committee on State Government.

By Mr. KENT. HOUSE BILL No. 1499.

An Act limiting the hours of employment of employes of State institutions within the Department of Health.

Referred to the Committee on State Government.

My Messrs. DOWNEY and TAYLOR. HOUSE BILL No. 1500.

An Act relating to common carrier, making certain acts relating to clearance unlawful; imposing certain duties and conferring powers upon the Public Utility Commission and the Attorney General and prescribing penalties for violations.

Referred to the Committee on Railroads and Railways.

My Messrs. DOWNEY and TAYLOR.

HOUSE BILL No. 1501.

An Act relating to the equipment of rail track motor cars used or furnished by common carriers by railroad for transporting employes and of obstructions, land marks, warning signals or grade crossings; providing for the extension of necessary time in which to equip said cars and penalizing those carriers who operate or furnish for operation such unequipped cars to their employes for transportation to or from their place or places of labor.

Referred to the Committee on Railroads and Railways.

By Messrs. SARRAF and JOHN J. MURRAY.

HOUSE BILL No. 1502.

An Act providing for a referendum to ascertain the will of the electors in counties of the second class on the question whether a mass transit authority should be created and established.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. DUNN. HOUSE BILL No. 1503.

An Act making it unlawful to indicate any time other than standard time on any public building or thoroughfare or to furnish any other than standard time in the course of business.

Referred to the Committee on Law and Order.

By Mr. DUNN. HOUSE BILL No. 1504.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending, and consolidating the law relating to boroughs," by changing the provisions relating to council's right to declare certain offices vacant.

Referred to the Committee on Boroughs.

By Mr. BOWER. HOUSE BILL No. 1505.

An Act to amend the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1565), entitled "An act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled 'An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau,' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations," by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular sesson beyond the fifteenth day of June, one thousand nine hundred fifty-three and each regular session thereafter.

Referred to the Committee on Appropriations.

By Mr. QUISENBERRY. HOUSE BILL No. 1506.

An Act to further amend Section 15 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commssioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by making an editorial correction.

Referred to the Committee on Municipal Corporations.

By Mr. TOMPKINS. HOUSE BILL No. 1507.

An Act imposing a State tax on certain judgments recovered in actions at law, and providing for the collection of such taxes.

Referred to the Committee on Ways and Means.

By Mr. WHITE. HOUSE BILL No. 1508.

An Act to reenact and further amend Section 1101 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by restricting certain vehicles to highways designated by the Secretary of Highways.

Referred to the Committee on Motor Vehicles.

By Mr. WOOD. HOUSE BILL No. 1509.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trutsees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the Washington Crossing Park Commission, Valley Forge Park Commission, Fort Washington Park Commission; Brandywine Battlefield Park Commission and the Bushy Run Battlefield Commission;

transferring their powers and duties to the Pennsylvania Historical and Museum Commission; reconstituting them as departmental advisory boards within the Pennsylvania Historical and Museum Commission; transferring the powers and duties of the Department of Property and Supplies relating to the monument of General Galusha Pennypacker and transferring the General Galusha Pennypacker Monument Commission to the Pennsylvania Historical and Museum Commission; and making an appropriation.

Referred to the Committee on State Government.

By Mr. WILLAREDT. HOUSE BILL No. 1510.

An Act authorizing the Department of Property and Supplies to sell and convey 0.1959 acres, more or less, of land in the township of Limerick, Montgomery County, Pennsylvania, with the approval of the Governor.

Referred to the Committee on State Government.

By Messrs. CIANFRANI, ROBERT K. HAMILTON and STONE. HOUSE ILL No. 1511.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, to exempt blind paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

Referred to the Committee on Municipal Corporations.

By Messrs. TAYLOR and DOWNEY. HOUSE BILL No. 1512.

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1120), entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains, and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employes; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission," by further regulating the size of locomotive crews.

Referred to the Committee on Railroads and Railways.

By Messrs. TAYLOR and DOWNEY. HOUSE BILL No. 1513.

An Act requiring operators of railroads to provide a safe place for employes to walk along tracks and to provide walkways and hand rails on railroad bridges and trestles; imposing duties on the Pennsylvania Public Utility Commission; providing for actions at law for injuries, or death; providing penalties.

Referred to the Committee on Railroads and Railways.

By Messrs. TAYLOR and DOWNEY. HOUSE BILL No. 1514.

An Act to repeal Sections 662, 663, 664, and 730 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend, and revise the penal laws of the Commonwealth," which sections relate to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries, or death, resulting from their actions.

Referred to the Committee on Judiciary.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DOUGHERTY. RESOLUTION No. 68.

In the House of Representatives, June 24, 1953.

Whereas, The plans of the Pennsylvania Department of Highways provide that the approaches to the proposed new bridge across the Delaware River in South Philadelphia would be elevated approximately twenty feet above the present street level, with no provision for underpass for the continuation of many of the north and south streets, thereby creating dead end streets; and

Whereas, If the approaches to the new bridge are constructed as presently proposed an unsightly "Chinese Wall" would arise in South Philadelphia, which would definitely stop the improvement and expansion of the entire area and immediately reduce real estate values; and

Whereas, The proposed plans indicate that serious traffic hazards would be created on all north and south streets, particularly on Sixth and Seventh streets, thereby endangering the lives and property of our people; and

Whereas, On June 26, 1952, the Council of the City of Philadelphia unanimously adopted a resolution approving plans prepared by the Philadelphia City Planning Commission recommending location of suitable approaches and their interchanges with the existing street pattern of Philadelphia, which plans were submitted to the Pennsylvania Department of Highways and a favorable report upon them has been received, which plans would facilitate the movement of traffic to and from the new bridge with a minimum of hazards and without impairing the future development and improvement of the area or reduce the value of real estate; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby disapproves the plans proposed by the Department of Highways of the Commonwealth of Pennsylvania for the approaches to the bridge to be built across the Delaware River in South Philadelphia; and be it further

Resolved, That the Secretary of the Pennsylvania Department of Highways is hereby urged to prepare new plans for the approaches to the new Delaware River Bridge that would eliminate dangerous traffic hazards, provide for continuation of the north and south streets and would preserve and improve real estate values adjacent to the approaches; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor of the Commonwealth of Pennsylvania, the Governor of the State of New Jersey, the Secretary of the Department of Highways of the Commonwealth of Pennsylvania and to the Delaware River Port Authority.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 951.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increas-

ing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for the construction of sidewalks and the assessment and collection of certain cost thereof and for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 5, by inserting after the word "by" the following: "authorizing justices of the peace to hold other elective township offices";

Page 2, line 4, by inserting after the word "providing" the following: "for the construction of sidewalks and the assessment and collection of certain cost thereof and;"

Line 12, by striking out after the word "townships" the word "and;" line 13, by inserting after the word "boards" the following: "and certain provisions relating to zoning;"

Amend Section 1, page 2, line 1, by striking out after the second word "Section" the figure "420" and insert the figure "402;" Line 4, by striking out after the word "thereto" the following: "as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370)" and inserting in lieu thereof the following: "as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481);"

Page 3, line 6, by inserting after line 6 the following: Section 402 Officers to be Elected The electors of each township shall elect (a) three supervisors (b) one assessor (c) three auditors and (d) one tax collector No person shall at the same time hold more than one elective township office provided that the office of Justice of the Peace shall not be considered an elective township office for the purposes of this section

Section 2 Section 420 of said act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows:

Amend the bill, page 4, line 15, by striking out after the first word "Section" the figure "2" and insert the figure "3":

Amend the bill, page 5, line 19, by striking out after the first word "Section" the figure "3" and insert the figure "4";

Amend the bill, page 7, line 10, by striking out after the first word "Section" and figure "4" and insert the figure "5";

Amend the bill, page 8, line 17, by striking out after the first word "Section" the figure "5" and insert the figure "6";

Amend the bill, page 11, line 8, by striking out after the first word "Section" the figure "6" and insert the figure "7";

Amend the bill, page 12, line 7, by striking out after the first word "Section" the figure "7" and insert the figure "8";

Amend the bill, page 13, line 12, by striking out after the first word "Section" the figure "8" and insert the figure "9";

Amend the bill, page 15, line 15, by striking out after the first word "Section" the figure "9" and insert the figure "10";

Amend the bill, page 16, line 14, by striking out after the first word "Section" the figure "10" and insert the figure "11";

Amend the bill, page 19, by inserting after line 18 the following:

Section 12 Section 1402 of the act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 1402 Construction of sidewalks or sidewalks and curbs upon petition of property owners or pursuant to ordinance (a) the township supervisors may construct sidewalks or curbs or sidewalks and curbs of suitable material along the roads or highways in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or sidewalks and curbs are to be constructed whenever any such petition is filed with the supervisors the owner of the property shall be given notice by the supervisors to construct such sidewalk or sidewalk and curb and in case of the failure of the owner to complete such sidewalk or sidewalk and curb within a period of sixty days after the receipt of such notice the supervisors may construct such sidewalk or sidewalks and curb as herein provided whenever any sidewalks or sidewalks and curbs are constructed by the supervisors the expense of the construction of such sidewalk or sidewalk and curb shall be paid by the abutting property owners in proportion to their frontage if such owners fail to so pay the expenses of the construction of such sidewalk or sidewalk and curb the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

(b) The township supervisors may also construct sidewalks of suitable material along the roads or highways in such townships pursuant to an ordinance authorizing such construction whenever any sidewalks are constructed by the supervisors pursuant to such ordinance the expense of the construction of such sidewalks shall be paid by the abutting property owners in proportion to their frontage but in no such instance shall any abutting property owner be liable for the construction of such sidewalks in an amount greater than ten percent of the assessed valuation of the abutting property owned by him any expense above such maximum liability of abutting property owners shall be paid by the townships if abutting property owners fail to so pay the expenses of the construction of such sidewalks for which they are liable the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefore against the abutiing properties in the manner provided by law for the filing and collection of municipal liens

Amend the bill, page 22, line 19, by striking out after the first word "Section" the figures "11 12" and insert the figure "13";

Amend the bill, page 24, line 1, by striking out after the word "Section" the figures "12 13" and insert the figure "14"; line 18, by striking out after the word "article" the word "The" and inserting in lieu thereof the following: "in such case the"; line 19, by striking out after the word "shall" the following: "with the approval of the board of supervisors;" line 20, by striking out after the word "standards" the word "policies";

Page 25, line 1, by inserting after the word "schedules" the following: "to be approved by the supervisors;" line 6, by striking out after the word "standards" the word "policies"; line 6, by inserting after the word "schedules" the following: "to be approved by the supervisors;"

Amend the bill, page 30, by inserting after line 4, the following:

Section 14 Sections 2007 and 2008 of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 2007 Board of Adjustment The supervisors may appoint a Board of Adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said Board of Adjust-

ment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The Board of Adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The Board of Adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions All of which shall be immediately filed with the township secretary and shall be a public record

Appeals to the Board of Adjustment may be taken by any person or township official aggrieved or affected by any provisions of the zoning ordinance or by any decision of [the supervisors] any administrative officer hereinafter called the zoning officer charged with enforcing the provisions of the zoning ordinance Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the [township secretary] zoning officer and with the Board of Adjustment a notice of appeal specifying the grounds thereof The [secretary] zoning officer shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal shall stay all proceedings in furtherance of the action appealed from unless the [supervisors certify] zoning officer certifies to the Board of Adjustment after the notice of appeal shall have been filed that by reason of facts stated in the certificate a stay would in their opinion cause imminent peril to life and property in such case Proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the [supervisors] zoning officer and due cause shown

The Board of Adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time upon the hearing Any party may appear in person or by agent or by attorney

The Board of Adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by the [supervisors] zoning officer in the enforcement of this article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made Notice of such decision shall forthwith be given to all parties in interest

Any person aggrieved by any decision of the board of adjustment or any taxpayer or [any supervisor] the board of supervisors may within thirty days after such decision of the board appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law and specifying the grounds upon which he relies upon presentation of the petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken the prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition on or before the return day of the writ the board of adjustment shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of an appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge thereof may prescribe

If upon the hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law the court may reverse or affirm in whole or in part or may modify the decision appealed as to it may appear just and proper

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 2008 Remedies in case any building or structure is erected constructed reconstruced altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the supervisors or with the approval of the supervisors the zoning officer or other proper official in addition to other remedies may institute in the name of the township any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,

Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 951.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 554, 673 and 686.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 163.

An Act to further amend the last paragraph of section five hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Govenor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain admisistrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by electric cooperative corporations in certain cases.

COMMUNICATION AND BILL LAID ON TABLE

Mr. KENT. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 557.

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

COMMUNICATION AND BILL LAID ON TABLE

Mr. KENT. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1415, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the receipts making an appropriation and providing for redisposition of fines forfeitures fees and miscellaneous funds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 641, entitled:

An Act to further amend subsection (e) of Section 628 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the fees for registration of firearms.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1204, entitled:

An Act to amend Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 131) entitled "An act requiring cities of the second class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year except in emergency cases" by further regulating minimum vacation periods.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1297, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing foreign banking institutions to conduct certain business and enforce certain rights in this Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1324, entitled:

An Act to further amend Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fishing in streams whether stocked with trout or not during closed season

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1330, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and pro-

viding for refunds" by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1347, entitled:

An Act to further amend Section 1 2 4 and 8 of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by regulating hours of minors when working on the farm of their parents.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1441, entitled:

An Act to amend section 820.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P.L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting certain vehicles from the requirement to be so constructed or equipped as to bar road surface substances from being thrown from their rear wheels

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish ponds licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and cer-

tain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 259, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights, powers, duties, liabilities, and immunities of such associations and of thier directors and shareholders; and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," by further providing for the issuance of share accounts to minors and validating their acquittances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 277, Printer's No. 260,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 282, entitled:

An Act to further amend Section 607 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled, as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by limiting the use of tractors of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 326, Printer's No. 94,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 359, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DAVIS offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, lines 15 and 16 by striking out "[one thousand five hundred dollars ($1,500)] two thousand dollars ($2,000) each" and inserting in lieu thereof: "in counties having a population of less than twelve thousand (12,000) one thousand five hundred dollars ($1,500) each and in counties having a population of twelve thousand (12,000) and more two thousand dollars ($2,000) each."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. DAVIS offered the following amendment:

Amend Title, page 1, last line of title, by inserting after "commissioners": "in certain counties of the eighth class."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 471, Printer's No. 160,

was passed over at the request of the SEPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. directly or indirectly furnishing materials and articles to 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" by increasing fees to be charged

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by extending the benefits to certain authorities created by such cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 155, Printer's No. 404,
House Bill No. 633, Printer's No. 430,
House Bill No. 1203, Printer's No. 390, and
House Bill No. 1376, Printer's No. 431,

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 30, Printer's No. 397, and
House Bill No. 168, Printer's No. 370,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 226, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the reassessment of certain property in townships of the first class in certain cases and imposing liability for township taxes upon the owners thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended by adding after Section 1712 thereof a new section to read as follows

Section 1713 Additions and Revisions to Duplicates Whenever in first class townships there is any construction of a building or buildings after September first of any year and such building is not included in the tax duplicate of the township the authority responsible for assessments in the township shall upon the request of the board of township commissioners direct the assessor in the township to inspect and reassess subject to the right of appeal and adjustment provided by the act of Assembly under which assessments are made all taxable property in the township to which major improvements have been made after September first and to give notice of such reassessments within ten days to the authority responsible for assessments the township and the property owner Such property shall then be added to the duplicate and shall be taxable for township purposes at the reassessed valuation for that proportionate part of the fiscal year of the township remaining after the property was improved Any improvement made during the month shall be computed as having been made on the first of the month A certified copy of the additions or revisions to the duplicate shall be furnished by the board of township commissioners to the tax collector for the township and within ten days thereafter the tax collector shall notify the owner of the property of the taxes due the township.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as folows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,

Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Granle E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
File,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, O. O., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the quesiton was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 627, Printer's No. 373,
House Bill No. 789, Printer's No. 378,
House Bill No. 814, Printer's No. 97,
House Bill No. 834, Printer's No. 345,
House Bill No. 894, Printer's No. 299,
House Bill No. 900, Printer's No. 392, and
House Bill No. 1098, Printer's No. 393,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1114, as follows:

An Act to add clause (I) to Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain privileges on land under its jurisdiction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby further amended by adding after clause (h) a new clause to read as follows

Section 1803 Forest Powers The Department of Forests and Waters shall have the power

* * * * *

I) To grant to individuals groups of individuals associations firms partnerships or corporations the privilege to erect construct maintain and operate on and over State owned or leased lands under the jurisdiction of the Department of Forests and Waters antennas towers stations cables and other devices and apparatus helpful necessary or required for broadcasting telecasting transmission relaying or reception of television It may charge for such privilege such rental and damages as the department deems the conditions and circumstances warrant

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schwartz,
Alexander,	Gibson,	Maxwell,	Schuster,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,

Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Down,	Kratz,	Polen,	Whalley,
Dougherty,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, O. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1115, as follows:

An Act to amend subsection (f) of Section 906 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the Pennsylvania Game Commission to grant certain privileges on land under its jurisdiction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of Section 906 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 183) is hereby further amended to read as follows

Section 906 Use of Lands

* * * * *

(f) The commission may grant any or all of the following rights on lands acquired for its use when such grants will not adversely affect game protection and propagation and may charge for such licenses such rental and damages as the commission deems the conditions and circumstances warrant

(1) Water rights

(2) Rights to maintain airway beacon lights

(3) Rights to maintain forest fire observation towers

(4) Rights to maintain radio stations and radio towers soley for National defense law enforcement or flood forecasting purposes

(5) Rights to maintain ski runs or trails and essential towing equipment but excluding rest houses restaurants or hotels

(6) Rights to the Department of Highways to establish and maintain roadside rests

(7) Rights to any State or Federal agency to construct maintain and operate water impoundments or flowage for flood control or recreational use

(8) Rights to erect construct maintain and operate antenna towers stations cables and other devices and apparatus helpful necessary or required for broadcasting telecasting transmission relaying or reception of television

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, O. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1240, Printer's No. 389,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1264, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for plans of school buildings admission of beginners enumeration of children cost of education of blind children half-day school sessions district teaching units and payments by the Commonwealth for additional units and closed schools and transportation requiring issuance of high school certificates and approval of joint schools providing penalties on school districts and making corrections and supplying omissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 731 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 731 [Submission] Approval by Department of Plans etc of Buildings [to State Council of Education] Exceptions No public school building shall be contracted for constructed or reconstructed in any school district of the second third or fourth class until [their] the plans and specifications therefor have been [submitted to the State Council of Education and all recommendations concerning the same by the State Council of Education have been laid before the board of school directors Provided That where] approved by the Department of Public Instruction When ordinary repairs are proposed such as plastering painting replacement of floors improvement of school grounds repairing or providing walks roadways or retaining walls the cost of which in districts of the second class will not exceed one thousand dollars ($1000) or in districts of the third and fourth class will not exceed five hundred dollars ($500) no [submission of plans for such repair to the State Council of Education] approval shall be required Where any structural change is involved such as moving or adding doors windows partitions making additions or any excavations [submission of plans to the State Council of Education] approval of the Department of Public Instruction shall be required regardless of the cost of such structural change

Section 2 Section 732 of said act is hereby repealed

Section 3 Subsection (a) of Section 921 of said act as amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1551) is hereby further amended to read as follows

Section 921 Election Vacancies Qualifications Removals (a) In every county having a county superintendent of public schools there shall be a county board of school directors consisting of five (5) members who shall be elected at the annual convention of the school directors of the county next preceding the expiration of their respective terms of office by majority vote of the school directors of the districts under the supervision of the county superintendent attending such annual convention Immediately after their election they shall meet and qualify by taking an oath of office They shall serve for terms of six years from the first day of July following their election or until their successors are chosen The terms of the members shall be staggered so that two members shall be elected in the year one thousand nine hundred fifty-two two in the year one thousand nine hundred fifty-four and one in the year one thousand nine hundred fifty-six and thereafter two members or one member as is required to fill the expiring terms All vacancies occurring by reason of death resignation removal from the county or otherwise shall be filled by a majority vote of the remaining members of the county board of school directors The person elected to fill such vacancy shall hold his office until the next annual convention at which a successor shall be elected for the remainder of the unexpired term

Section 4 Section 1166 of said act as amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1791) is hereby further amended to read as follows

Section 1166 Persons Entitled [(a)] Any person employed in the public school system of this Commonwealth who has completed ten (10) years of satisfactory service as a professional employe or member of the supervisory instructional or administrative staff or in first class school districts as a member of the instructional staff as defined by the local board of education shall be entitled to a leave of absence for restoration of health study or travel or at the discretion of the board of school directors for other purposes At least five consecutive years of such service shall have been in the school district from which leave of absence is sought unless the board of school directors shall in its discretion allow a shorter time Such leave of absence shall be for a half or full school [year] term or for two half school [years] terms during a period of two years at the option of such person Thereafter one leave of absence shall be allowed after each such seven years of service

A sabbatical leave granted to a regular employe shall also operate as a leave of absence without pay from all other school activities

Section 5 Sections 1167 and 1168 of said act are hereby amended to read as follows

Section 1167 Preferences Limitations Applications for leaves of absence shall be given preference according to the years of service since the previous sabbatical leave of the applicant and in accordance with regulations adopted by the board of school directors

No school district shall limit the number of leaves of absence granted in any school year to less than ten per centum (10%) of the number of persons eligible for such leave of absence regularly employed in such district Schools which have a staff of seven (7) or less teachers shall be permitted at least one leave of absence each [year] term

Section 1168 Return to Employment No leave of absence shall be granted unless such person shall agree to return to his or her employment with the school district for a period of not less than one [year] school term after such leave of absence

No such leave of absence shall be considered a termination or breach of the contract of employment and the person on leave of absence shall be returned to the same position in the same school or schools he or she occupied prior thereto

Section 6 Section 1169 of said act as amended by the act approved the twenty-seventh day of December one

thousand nine hundred fifty-one (P. L. 1791) is hereby further amended to read as follows

Section 1169 Salary While on Leave The person on leave of absence shall receive one-half of his or her regular salary Provided That the employe who is absent on sabbatical leave shall not receive more than two thousand five hundred dollars ($2500) if the employe's absence on sabbatical leave is for a full school [year] term and not more than one thousand two hundred fifty dollars ($1250) if the employe's absence on sabbatical leave is for a half school [year] term as defined in this act

Section 7 Section 1304 of said act as last amended by the act approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1295) is hereby further amended to read as follows

Section 1304 Admission of Beginners The admission of beginners to the public schools shall be confined to the first two weeks of the annual school term in districts operating on an annual promotion basis and to the first two weeks of either the first or the second semester of the school term in districts operating on a semi-annual promotion basis Admission shall be limited to beginners who have attained the age of five years and seven months before the first day of September if they are to be admitted in the fall and to those who have attained the age of five years and seven months before the first day of February if they are to be admitted at the beginning of the second semester [A beginner who is less than five years and seven months of age but who has attained a mental age of six years may be admitted when such admission is recommended by the county supervisor of special education or by a properly certificated public school psychologist] The board of school directors of any school district may admit beginners who are less than five years and seven months of age in accordance with rules and regulations established by the State Council of Education The board of school directors may refuse to accept or retain beginners who have not attained a mental age of five years as determined by the county supervisor of special education or a properly certificated public school psychologist in accordance with rules and regulations established by the State Council of Education

The term "beginners" as used in this section shall mean any child that should enter the lowest grade of the primary school or the lowest primary class above the kindergarten level

Section 8 Section 1351 of said act as amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 646) is hereby further amended to read as follows

Section 1351 Duty to Make Penalty for Interfering The board of [public education in school districts of the first class] school directors of any school district where an adequate continuing school census is maintained shall between March first and September first once in three years commencing with the year one thousand nine hundred [fifty-one] fifty-five and the board of school directors in every school district [of the second third and fourth class] where an adequate continuing school census is not maintained shall between March first and September first of each year cause to be made by the attendance officers teachers or other persons employed for this purpose a careful correct and accurate enumeration on census cards [provided by the district at the expense of the district] or in a substantial book or books provided by the Superintendent of Public Instruction at the expense of the State for that purpose of all the children [between the ages of six (6) and] from birth to eighteen (18) years of age within their district giving the full name date of birth age sex nationality place of residence in such school district name and address of parent or persons in parental relation the name and location of the school where the child is enrolled or belongs and the name and address of the employer of any child under eighteen (18) years of age who is engaged in any regular employment or service Such enumeration shall be made by careful inquiry at the residence of each family in the district The person making such enumeration upon completion thereof shall make a proper oath or affirmation as to its correctness Such enumeration shall also include the names and addresses of all persons firms or corporations employing or accepting service from children under eighteen (18) years of age The board of school directors in any school district shall have authority to cause to be made an enumeration of all minors residing within the district and the Superintendent of Public Instruction may at his discretion require such enumeration

If any person shall hinder or prevent or attempt to hinder or prevent any attendance officer or teacher or other person from performing any duty provided for in this section he shall on summary conviction thereof be sentenced to pay a fine not exceeding five dollars ($5) or to undergo an imprisonment not exceeding five (5) days

Section 9 Sections 1380 1391 and 1504 of said act are hereby amended to read as follows

Section 1380 Education of Blind Children Under Eight Years The State Council of Education is authorized to educate blind children residing in this Commonwealth under the age of eight (8) years whenever from any cause the parent or parents thereof may be unable properly to educate them With the written consent of the parents parent or nearest relative if there be no parents or the local authorities of the proper institution district if there be neither parents nor relatives the State Council of Education may contract with any nonsectarian institution in this State or elsewhere established for the education of the blind whereby any such child may at a cost not exceeding [one dollar and fifty cents ($1.50)] three dollars ($3) per day to be paid by the Commonwealth out of funds appropriated to the Department of Public Instruction for the education of blind children be educated until it shall reach the age of eight (8) years Such education may be continued beyond the age of eight (8) years when for physical mental or other proper reasons such child or children need special care for a longer period The contract may be canceled and the child or children removed at any time by the State Council of Education The provisions of this section shall not repeal or modify any existing acts relative to the education of the blind

Section 1391 Employment of Children Under Eighteen Unlawful Without Employment Certificate or Permit No person either for himself or for any firm association or corporation shall during the hours the public schools are in session accept service from engage or employ any child under eighteen (18) years of age unless such employer shall have on file an employment certificate or farm or domestic service permit issued according to law [Provided That any male minor over sixteen (16) years of age employed in the distribution sale exposing or offering for sale of any newspaper magazine periodical or other publication shall not be required to procure an employment certificate under this act]

If the child leaves such employment or is absent from such employment five (5) days the employer shall immediately in writing notify accordingly the school official who issued the certificate

Section 1504 Dates and Times of School Terms and Sessions Commencement (a) The board of school directors of each school district shall fix the date of the beginning of the school term Unless otherwise determined by the board the daily session of school shall open at nine antemeridian and close at four post-meridian with an intermission of one hour at noon and an intermission of fifteen minutes in the forenoon and in the afternoon

(b) If a school in any district due to crowded conditions is unable to provide for the full time attendance of all pupils during the school day the board of school directors with the approval of the Department of Public Instruction first obtained may provide for two half-day session The approval of the Department of Public Instruction shall not exceed a period of one year Annual extensions may be granted by the Department upon review of the circumstances of each case Each half-day session shall be four (4) hours in duration Provided That

the Superintendent of Public Instruction may reduce the half-day session in the first and second grades at the request of a school district for cogent reasons relating to the health safety or welfare of the children if in his opinion the school program submitted by the district shows that the local program is adequate for these grades Half-day sessions shall be regarded as two regular sessions Teachers employed for one half-day session shall not be employed for the other on the same day for the entire half-session but may be required by the school district to serve every school day for the same number of hours prescribed by the board of school directors for regular full-time teachers who teach full day sessions in the same grades in the school district Upon any violation or failure to comply with the provisions of this subsection the Superintendent of Public Instruction on hearing after two (2) weeks' written notice to the board of school directors shall withhold and declare forfeited the State appropriation for reimbursement on account of the instruction of the pupils in average daily membership in the sessions in which the requirements are not met

(c) The board of school directors may fix the date of the school commencement and shall pay such expenses in connection therewith as it may determine

Section 10 Section 1519.1 of said act as added by the act approved the eighth day of January one thousand nine hundred fifty-two (P. L. 1857) is hereby amended to read as follows

Section 1519.1 Standardized [Driver-Training] Driver-Education Program

(a) The Department of Public Instruction shall establish for operation in the public school system of the Commonwealth a standardized [driver-training] driver-education program in the safe operation of motor vehicles

(b) The Department of Public Instruction shall assist school districts throughout the Commonwealth in the functioning of such program by

(1) Preparation publication and free distribution of [driver-training] driver-education instructional material to insure a more complete understanding of the duties of motor vehicle operators

(2) Making such rules and regulations as may be necessary to carry out such program

(c) Every school district complying with the standardized program established by the Department for the school year 1951-52 and for every school year thereafter shall be paid a sum which shall be proportionate to the total amount available to the Department from the Motor License Fund for allocation and distribution to all school districts in the Commonwealth after payment of the following which shall not exceed during each school year a sum equal to ten (10) cents for each motor vehicle learner's permit issued subsequent to the fifteenth day of October one thousand nine hundred fifty-one namely (1) salaries and traveling expenses of employes of the Department of Public Instruction essential to the program (2) purchase of visual training aids and psychophysical testing equipment and (3) costs of preparation publication and distribution of [driver-training] driver-education instructional material for assistance to their [driver-training] driver-education programs as the ratio which the average daily membership of pupils over fifteen (15) years of age in such [driver-training] driver-education courses in such school district bears to the total average daily membership of pupils over fifteen (15) years of age in such [driver-training] driver-education courses in all school districts in the Commonwealth Provided That the payment shall not exceed the sum of ten ($10) dollars for each such pupil per school year Allocations and apportionments within any school district shall be made according to a similar ratio Such sums shall be paid in the same manner as other reimbursements are paid to school district

Section 11 Said act is hereby amended by adding after Section 1612 thereof a new section to read as follows

Section 1613 High School Certificates The board of school directors joint board or joint school committee operating any high school shall issue a certificate to each pupil satisfactorily completing the prescribed course of instruction in the high school

Section 12 Section 1701 of said act is hereby amended to read as follows

Section 1701 Establishment The board of school directors in any two or more school districts may with the approval of the county board of school directors and of the Department of Public Instruction establish construct equip furnish and maintain joint elementary public schools high schools consolidated schools or any other kind of schools or departments provided for in this act The cost of establishing constructing equipping furnishing and maintaining such joint schools or departments shall be paid by the several districts establishing the same in such manner and in such proportion as they may agree upon No joint school or department shall be established without the approval of the county board of school directors and of the Department of Public Instruction or without receiving the affirmative vote of a majority of the members of the board of school directors in each district establishing the same The action of the several boards establishing and maintaining such joint schools or departments shall be recorded in full in the minutes of the respective boards

Section 13 Section 1707 of said act as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 934) is hereby further amended to read as follows

Section 1707 Joint School Committee The boards of school directors establishing any joint school or department may supervise and direct its affairs jointly in the same manner as the affairs of individual school districts are managed or they may agree that the affairs of such joint school or department may be managed by a joint school committee within the limits of the budget adopted by the joint board Where such management is delegated to a joint school committee every school board establishing joint schools or departments shall at the annual meeting during the month of December select one or more of its members who with the members chosen in like manner in the other districts shall constitute the joint school committee This committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision maintenance and regulation of such joint schools or departments as are now conferred or imposed by law upon school boards generally The affirmative vote of a majority of all the members of this committee duly recorded showing how each member voted shall be required in order to take action upon those subjects enumerated in section five hundred eight of this act Failure to comply with the provisions of this act shall render void and unenforceable the acts of the joint school committee with reference thereto The joint board and the joint school committee if authorized shall organize annually during the month of December by electing a president and secretary and the expenses of maintaining the joint school or department shall be paid by warrant drawn on the joint board treasurer by the president and secretary of the joint board or the joint school committee

Section 14 Subsection (2) of Section 2501 and Section 2520 of said act are hereby amended to read as follows

Section 2501 Definitions For the purposes of this article the following terms shall have the following meanings

* * * * *

(2) ["District Teaching Units" A district's number of teaching units shall be obtained as follows (i) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school (ii) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school and (iii) add the quotients obtained under (i) and (ii) above] "Teaching Units" consist of twenty-two (22) high school pupils or thirty (30) elementary school pupils Fractions thereof shall be fractional teaching units If a district's pupil-teacher ratio exceeds thirty-three (33) its district teaching unit shall be obtained by multiplying the total number of all teaching units as defined above

by thirty-three (33) and dividing the product so obtained by the pupil-teacher ratio of the district

Section 2520 Payments on Account of Increase in Number of Pupils and Additional Closed Schools in addition to the payments herein provided on account of the instruction of district pupils and on account of schools permanently closed or discontinued in any district each district shall receive its several apportionments as herein provided that shall have become due by reason of increase in the number of districts pupils subsequent to the certificate to the Superintendent of Public Instruction immediately previous to the beginning of the fiscal biennium and its apportionment as herein provided for additional schools permanently closed or discontinued subsequent to such certificate Such payments shall be made after certificate to the Superintendent of Public Instruction in the third and fourth quarterly payments of the biennium year [in addition to the last quarterly payment of the biennium as hereinbefore provided]

Section 15 Clause (2) of Section 2541 of said act as amended by the acts approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 456) and the eleventh day of May one thousand nine hundred forty-nine (P. L. 1195) is hereby further amended to read as follows

Section 2541 Payments on Account of Pupil Transportation

* * * * *

Such payments for pupil transportation shall be made in the following cases

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile and to merged or union school districts in which one or more such districts are a component part for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session and to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest jointly operated school in session offering the proper grades

Section 16 The provisions of this act shall become effective on the first Monday of July one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Weidner,
Coyle,	Kohl,	Pfaff,	Waterhouse,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, O. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1343, Printer's No. 282,

House Bill No. 1349, Printer's No. 336 and

House Bill No. 1359, Printer's No. 342

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1368 as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing provisions relating to voting by persons in actual military service when present in their districts of residence in which ballots are used

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1307 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of

elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as added by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 3) is hereby amended to read as follows

Section 1307 Military Electors Voting in Districts of Residence (a) Whenever any qualified elector in actual military service is present in his voting district of residence on any primary municipal or general election day and has not already voted in such election he may apply to his district election board for an official ballot in districts in which voting machines are used or a regular ballot in districts in which ballots are used and vote it in such election

(b) Each such application shall be in the form and shall contain the information required by this act together with a statement by the applicant that he has not already voted in the election All such applications shall be transmitted to the county board of election immediately upon the closing of the polls

(c) Upon receiving [an official] a ballot and envelopes therefor he shall in secret in the polling place vote the ballot and prepare it for executon of the affidavit and jurat as prescribed by this act The affidavit shall be executed before the judge or either inspector of election and the jurat subscribed by the person before whom the affidavit is taken The military elector shall then securely seal the second envelope and hand it to the judge of election The judge of election shall place all such envelopes in a container marked "Official Military Ballots" which shall be sealed immediately upon the closing of the polls and transmitted to the county board of election

(d) Each district election board shall prepare a separate list of the names of all such voters which shall be attached to the lists of voters required by the act to which this is an amendment

(e) Each county board of election shall prepare and deliver to each district election board in which voting machines are used on such election days an adequate supply of official ballots envelopes and other supplies as required by this act

(f) Each county board of election before the day fixed by this act for the canvassing of official ballots shall post attach to the "Military File" an alphabetically arranged list setting forth the name residence the local voting district and ward of every military elector voting under the provisions of this section The list shall not contain the elector's military address or military organization Copies of such list may be furnished as in the case of copies of the military file

(g) In districts in which ballots are used the district election board shall prepare and submit to the county board of election a separate report accounting for the number of regular ballots issued to such voters and used in lieu of official military ballots

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kremer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1377, Printer's No. 284 and

House Bill No. 1401, Printer's No. 395

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1424 as follows:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An airport approach area is declared to be and to include all that area lying within and below an inclined plane starting at each end of each runway and extending outward horizontally for a distanct of 1000 feet at a ratio of 1 foot of height for each 20 feet of distance from each end of the runway and having a width equal to the width of the runway

Section 2 Whoever hereafter erects and maintains any smoke stack flag pole elevated tank radio station tower antenna building structure or obstruction to the operation of aircraft within such an airport approach area shall upon conviction thereof in a summary proceeding be

fined not exceeding one hundred dollars ($100.00) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days Each day's continuation of a violation of this section shall be deemed a separate and distinct offense

Section 3 The act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 957) entitled "An act prohibiting the erection and maintenance of obstructions to the operation of aircraft and prescribing penalties" is hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Piaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C.,
Flynn,	Mahan,	Schmidt,	Speaker
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No 1440 as follows:

An Act to further amend section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivative preparations and compounds in the interest of public health" by providing certain exceptions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" as last amended by the act approved the thirtieth day of June one thousand nine hundred fifty-one (P. L. 955) is hereby further amended to read as follows

Section 1 The drug known as penicillium (penicillin) and any of its derivatives preparations or compounds of the same except penicillin teat dilators and veterinarian ointment for mastitis and penicillium (penicillin) its derivatives preparations and compounds when contained in animal or poultry feed supplements used by feed manufacturers in preparing animal or poultry feeds not intended for human consumption shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentists or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall disuense any such durg without affixing to tahe container in which the durg is sold or dispensed a labol bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name and the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Harris,	Mills,	Stoner,

Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	White,
Downey,	Lafore,	Price,	Wheeler,
DuBois,	Leisey,	Quisenberry,	Whitenight,
Dunn,	Lederer,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1463 as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres more or less of land situate in the City of Erie Erie County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania with the approval of the Governor is hereby authorized to sell at public sale to the highest bidder and convey the following described tract of land situate in the City of Erie County of Erie and Commonwealth of Pennsylvania bounded and described as follows

Beginning at an iron pin located 116.95 feet northerly of the northerly end of Wayne Street measured along the west line of Wayne Street extended and 205 feet westerly at right angles from said west line extended of Wayne Street thence north 26 degrees 52 minutes west 1478.72 feet more or less to a point thence north 53 degrees 15 minutes west 1253.21 feet more or less to a point thence south 19 degrees 12 minutes 30 seconds east 933.33 feet more or less to a point thence south 13 degrees 30 seconds east 395.51 feet more or less to a point thence south 80 degrees 56 minutes west 456.12 feet more or less to a point thence south 15 degrees 14 minutes east 1574.05 feet more or less to a point thence south 31 degrees 45 minutes east 68.14 feet more or less to a point thence north 74 degrees 30 minutes east 122.42 feet more or less to a point thence north 14 degrees 49 minutes west 82.40 feet more or less to a point thence north 12 degrees 40 minutes 30 seconds east 404.43 feet more or less to a point thence north 72 degrees 45 minutes east 1142.82 feet more or less to an iron pin the place of beginning containing 52.3 acres be the same more or less

Section 2 The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 3 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 4 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited to the credit of the General Fund

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Maxwell,	Schuster,
Alexander,	Gibson,	Markley,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
Down,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Mathews,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 189 entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, due to the issues that were raised on this bill yesterday—there has been considerable conference on it and there has been an agreement on both sides of the House to recommit this bill.

I, therefore move, Mr. Speaker, that this bill be recommitted to the Committee on Judiciary for study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 199, Printer's No. 231 and

Senate Bill No. 207, Printer's No. 278

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 323 as follows:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subjects to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townhips of the first class providing for the appointments of a chief assessor assistant assessors and other employes providing for their compeisation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penaltries and eliminating the triennial assessment" is hereby amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county borough town township school (except in cities), poor and county institution district purposes at the annual rate

(a) All real estate to wit Houses buildings lands lots of ground and ground rents trailer parks and parking lots mills and manufactories of all kinds and all other real estate not exempt by law from taxation

(b) All sa'aries and emoluments of office all offices and posts of profit professions trades and occupations and all persons over the age of twenty-one years who do not follow any occupation or calling as well as unnaturalized foreign-born persons who shall have resided within this Commonweal'h for one whole year as citizens of this Commonwealth

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 2 Section 502 and 602 of the act as amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2138) are hereby further amended to read as follows

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the fol owing oath or affirmation

"I ..... do hereby (swear or affirm that I will as assessor for .... (ward borough town or township) use my utmost diligence to discover and ascertain and will report to the chief assessor all persons and property made taxable by law [and will assess rate and va'ue all such persons and property] in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto and will perform to the best of my ability the duties imposed upon me by law and keep faith with trust reposed in me by the citiezns of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 602 Valuation of Persons and Property It shall

be the duty of the chief assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the same would separately bona fide sell [Rea] After there has been established and completed for the entire county the permanent system of records consisting of tax maps property record cards and property owner's index as required by section three hundred six of the act herein amended real property shall be assessed at a value based upon an established predetermined ratio of which proper notice shall be given not exceeding seventy-five per centum (75%) of its actual value or the price for which the same wou'd separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be control ing Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county [When] After the completion of the permanent system of records for the county when assessing real property the chief assessor shal! also take into consideration the value of such property as indicated by the use of the permanent system of records cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Granle E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh,
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 325 as follows:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article IX of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding after subdivision (d) thereof a new subdivision containing eight new sections to read as follows

(e) Nominations to Fill Certain Vacancies

Section 993 Filling of Certain Vacancies in Public Office by Means of Nomination Certificates and Nomination Papers (a) In all cases where a vacancy shall occur for any cause in an elective public office including that of judge of a court of record at a time when such vacancy is required by the provisions of the Constitution or the laws of this Commonwealth to be filled at the ensuing election but at a time when nominations for such office cannot be made under any other provision of this act nominations to fill such vacancies shall be made by political parties in accordance with party rules relating to the filling of vacancies by means of nomination certificates in the form prescribed in section nine hundred ninety-four of this act and by political bodies by means of nomination papers in accordance with the provisions of sec-

tions nine hundred fifty-one nine hundred fifty-two and nine hundred fifty-four of this act No such nomination certificate shall nominate any person who has already been nominated by any other political party or by any political body for the same office unless such person is a candidate for the office of judge of a court of record No such nomiantion papers shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the ensuing November election unless such person is a candidate for the office of judge of a court of record

(b) Said nomination certificates and nomination papers for State public offices and judges of courts of records shall be filed in the office of the Secretary of the Commonwealth at least forty-five (45) days prior to a general or municipal election as the case may be Nomination certificates and nomination papers for public offices in counties cities boroughs towns townships wards and school districts and for the offices of aldermen and justices of the peace shall be filed in the office of the county board of elections at least forty-five (45) days prior to a municipal election

(c) The provisions of this subdivision shall not be construed to apply to elective public offices for which a method is provided in this act for the holding of special elections to fill vacancies in certain public offices or to the filling of vacancies in the office of presidential electors in accordance with the provisions of section nine hundred eighteen of this act Nor shall the provisions of this subdivision be construed to apply to any public office for which by the provisions of any statute a vacancy is required to be filled at the next election appropriate to the office if said vacancy occurs at any time within two (2) calendar months immediately preceding a general or municipal election as the case may be

Section 994 Number Form and Requirements of Nomination Certifiates to Fill Certain Vacancies (a) Each political party shall be entitled to nominate and to file nomination certificates in accordance with the provisions of section nine hundred ninety-three of this act for the purpose of supplying as many candidates as each elector will be entitled to vote for at the ensuing November election Every nomination certificate for a November election required under the provisions of section nine hundred ninety-three of this act shall be in the form prescribed by the Secretary of the Commonwealth and shall set forth the following

(1) The office and district if any for which it is filed

(2) The cause of the vacancy

(3) The rule or rules of the political party setting forth the provisions applicable to the nomination of a candidate or candidates to fill said vacancy

(4) That a quorum of the committee caucus or convention as provided by the party rules duly convened and the names of those present at said meeting or their proxies that said persons are the duly appointed or elected members of said committee caucus or convention

(5) The name residence and occupation of the candidate duly nominated at said meeting

(b) Every such certificate of nomination shall be signed by the presiding officer and the secretary or secretaries of the committees caucus or convention and shall be sworn or affirmed to by them before any officer qualified to administer oaths

Section 995 Secretary of the Commonwealth or County Board of Elections to Examine Nomination Certificates and Nomination Papers to Fill Certain Vacancies Review (a) It shall be the duty of the Secretary of the Commonwealth or the proper county board of elections as the case may be to examine as to legal sufficiency in the manner and under the provisions of section nine hundred seventy-six of this act all nomination certificates and nomination papers brought to his or its office for the purpose of filing for the nomination of candidates for a general or municipal election as the case may be in accordance with the provisions of section nine hundred ninety-three of this act and if manifestly defective they shall not be filed

(b) No such certificate of nomination or nomination paper shall be refused by the Secretary of the Commonwea th or the county board of elections except for a reason provided for in section nine hundred seventy-six of this act

(c) The action of the Secretary of the Commonwealth or the county board of elections in refusing to accept and file any such certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for mandamus to compel its reception and filing as of the date when it was brought to said office

Section 896 Objections to Certificates of Nomination and Nomination Papers Filed to Fill Certain Vacancies for a November Election Hearing Determination (a) All certificates of nomination and nomination papers to fill certain vacancies in accordance with the provisions of section nine hundred ninety-three of this act which have been accepted and filed shall be deemed to be valid unless within three (3) days next succeeding the last day for filing such certificates or papers objections thereto are duly made in writing and filed in the court of common pleas of the county in which the nomination certificates or papers were filed and with the officer or board with whom said nomination certificates or papers were filed Any objections shall set forth specifically the matters objected to

(b) Upon the filing of the objections the court shall make an order fixing a time for hearing which shall not be later than seven (7) days after the last day for filing nomination certificates or papers and specifying the time and manner of notice that shall be given to the candidate named in the nomination certificate or paper objected to On the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and sha l finally determine said matter promptly

Section 997 Withdrawals of Candidates Nominated to Fill Certain Vacancies at a November Election (a) Any person who has been nominated by any political party or political body to fill certain vacancies at a November election in accordance with the provisions of section nine hundred ninety-three of this act may withdraw his name from nomination by a request in writing signed by him and acknowledge before an officer qua ified and empowered to administer oaths and filed in the office of the officer or board with whom the nomination certificate or nomination papers were filed within three (3) days next succeeding the last day for fi ing nomination certificates or papers Such withdrawals to be effective must be received at the office of the Secretary of the Commonwealth not later than five (5) o'clock P M or at the county board of elections not later than the ordinary closing hour of its office on the last day for filing same

(b) No name so withdrawn shall be printed on the bal ot or ballot labels

(c) No candidate may withdraw any withdrawal notice already received and filed and thereby reinstate his nomination

Section 998 Substituted Nominations to Fill Certain Vacancies for a November E ection (a) Any vacancy happening or existing in any party nomination made in accordance with the provisions of section nine hundred ninety-three of this act for a November election by reason of the death or withdrawal of any candidate may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on the party ticket in the form prescribed by section nine hundred ninety-four of this act But no substituted nomination certificate shall nominate any person who has already been nominated by any other political party or by any political body for the same office unless such person is a candidate for the office of judge of a court of record

(b) In case of the death or withdrawal of any candidate nominated by a political body for an election the committee named in the original nomination papers may nominate a substitute in his place by filing a substituted nomination certificate in the form and manner prescribed

by section nine hundred eighty of this act In the case of a vacancy caused by the death of any candidate said nomination certificate shall be accompanied by a death certificate properly certified No substituted nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the ensuing November election unless such person is a candidate for the office of judge of a court of record

(c) Substituted nomination certificates to fill vacancies caused by the withdrawal of candidates nominated for a November election in accordance with the provisions of section nine hundred ninety-three of this act shall be fi ed with the officer or board with whom the original nomination certificates or papers were filed not later than seven (7) days after the last day for filing the original nomination certificates or papers

(d) Substituted nomination certificates to fill vacancies caused by the death of candidates nominated for a November election in accordance with the provisions of section nine hundred ninety-three of this act shall be filed in the office of the officer or board with whom the original nomination certificates or papers were filed at any time prior to the day in which the printing of ballots is started

Section 999 Objections to Substituted Nomination Certificates Filed to Fill Certain Vacancies for November Election All substituted nomination certificates for a November election filed in accordance with the provisions of section nine hundred ninety-eight of this act may be objected to as provided in section nine hundred eighty-two of this act

Section 999.1 Candidates to Fill Certain Vacancies Certification of Nominees by Secretary of the Commonwealth to County Election Boards The Secretary of the Commonwealth sha l certify in accordance with section nine hundred eighty-four of this act the names and residences of and parties of political bodies represented by all candidates whose nomination certificates or papers have been filed with him in accordance with the provisions of section nine hundred ninety-three or subdivision (e) of this act for a general or municipal election as the case may be and have not been found and declared invalid and to be voted for in the county or any district or districts thereof

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kamyk,	Peifly,	Wallace,
Connelly,	Keller,	Peta,	Walsh
Conner,	Kent,	Petrosky,	Wargo,
Cooper,	Kerlin,	Pettigrew,	Waterhouse,
Coyle,	Kohl,	Pfaff,	Weidner,
Curwood,	Kolankiewicz,	Phillips,	Welsh,
Davis,	Kornick,	Polaski,	Wescott,
Dougherty,	Kratz,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reagan,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Fenrich,	Limper,	Richter,	Yeakel,
Ferster,	Lippincott,	Rosen,	Yetzer,
Filo,	Lopresti,	Rovansek,	Young,
Flack,	Lovett,	Royer,	Zeitz,
Fleischman,	Lutty,	Rubin,	Ziegler,
Floyd,	Maguire,	Sarraf,	Smith, C. C., Speaker
Flynn,	Mahan,	Schmidt,	
Frost,	Markley,		

NAYS—0

NOT VOTING—6

Goodling,	Kromer,	Watkins,	Worley,
Kline,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 489, Printer's No. 290 and

Senate Bill No. 543, Printer's No. 302

were passed over at the request of the SPEAKER.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have just, by reason of the telephone, confirmed a suspicion that I had. That suspicion was that the Democratic State Chairman was not only alive and well, but was actually in the city and was in the process of discussing various matters with the Republican State Chairman.

The statement I make derives its pertinence from the fact that I hold in my hand a newspaper, presumably of wide circulation, which has a headline running to this effect: "Democrats forsake GOP on State tax." Coming at this time that is a vicious misrepresentation of a crucial and critical situation which the General Assembly faces. It is a headline designed, I fear, to further complicate an already too complicated situation. It is a headline over a story slanting in the direction of the intimation that the Democratic minority was proceeding in bad faith in the representations it had made.

If there ever was a time in the legislative history of Pennsylvania when the editors of our Press should show some understanding of the difficulties we face and evince some evidence of a disposition to serve the interests of this Commonwealth instead of further complicating a too complicated situation, that time is now.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I feel I should report to the membership of the House that a suggestion has come over from the Senate that they will not reconvene until, I believe, one o'clock today Daylight Saving Time; that they would prefer not coming back to Harrisburg again until the 6th of July, by reason of the conferences which are taking place in regard to taxes.

Because of the magnitude of that situation we have not as yet come to a decision, and I would like to suggest to the membership that they can now leave for their several homes. I am going to shortly ask for a two-hour recess, so that we will be in session here when the Senate reconvenes.

I will say to the membership that a decision will be made as to whether it might be wise for us also to come back on the 6th of July, depending upon whether or not we can get down to something concrete. The membership will be notified by letter or wire as to the decision made, whether we will come back next Monday-Tuesday, or Wednesday of next week.

Therefore, Mr. Speaker, at this time I would like to ask that the Chair declare a recess for two hours.

The SPEAKER. The Chair recognizes the Minority Leader. For what purpose does the gentleman rise?

Mr. ANDREWS. Mr. Speaker, I rise simply to concur in the suggestion made by the Majority Leader.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to make a brief statement in reference to the statement made by the Majority Leader.

I can see no sense in staying away until July 6. We have work to do, and in my mind and in my opinion—and it is my feeling in the opinion of many of the Members on this side of the House, and I think also on the other side of the House—we can get a lot of work done here next week by meeting Monday, Tuesday, and Wednesday. I cannot see any reason why this tax program cannot be consummated next week, and we get out of there. I am sure the people of the Commonwealth of Pennsylvania want us to get out of here.

Whatever tax program we can pass, let us pass it and get out. If we cannot get a sales tax through, O. K. we cannot get it through. If we cannot get this other tax package through, O. K. we cannot get it through, but at least we have done what we can do and as much as we can do without any more procrastination.

I for one am getting sick and tired of this eternal procrastination on the part of the Leadership.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe my remarks were to the effect that the message had come over from the Senate that they wanted not to come back until the 6th of July. If we decide not to come back on Monday, I believe the resolution that would be put in would be that the Speaker will have the right, or shall call the House back at the first opportunity next week that something concrete is available to present to the membership. Right now the decision has not been made whether to come back on Monday or the 6th of July. I think there is a lot of merit in what the gentleman has said in regard to coming back here.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, unfortunately we are a two-chamber Legislature. I have always been in favor of liquidating the Senate but that body seems to be firmly entrenched in the affections of the Majority.

The suggestion that there be a period of contemplation, prayer, or what have you, comes from the Senate. The Senate says it is not coming back until July 6. It is a fact that we must recognize. There are a lot of things we can do when the Senate is here, a lot of things we cannot do when the Senate is not here, and we do not have the power to compel the constant attendance of the Senate.

I have a suggestion to make to the militant gentleman from Blair. When he has composed the tax situation in the Republican Caucus, following his victory in the Republican Caucus in crystallizing opinion, I invite him in all good faith to come over to the Democratic Caucus and crystallize opinion there, because I'll be damned if it is not more than I have been able to do up to the present time.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, some time ago I made a statement here that possibly the fault with the program in the House was too much control from on high. I do not mean Hi Andrews. I still am of that opinion.

I could possibly get into a very lengthy argument here as to the remarks made by the gentleman from Cambria, Mr. Andrews, as to my composing the tax program in the Republican caucus. I still say that if the mandate had not come from so-called brass of the Democratic party, that if their Members would have been left free to vote as their constituency and their conscience, thought and opinion would have let them vote, the tax program would have been resolved and we would have a broad-based sales tax today. That is my answer to the consummation of the tax program on both sides of the House.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman intimates that the path of peace, the only path of peace, is to agree with his every suggestion, and I respectfully submit that if everybody did agree with every suggestion made by the gentlemen from Blair our problems would be solved, after a fashion

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for two hours. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

Mr. JOHNSON. Mr. Speaker, because of the fact that there is a scheduled conference of the leaders to be held at 2:00 o'clock DST, I suggest that the recess be extended for another two hours.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for two hours. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Mr. VAUGHAN. HOUSE BILL No. 1515.

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions," by further regulating the administration and payment of such pensions in certain cases.

Referred to the Committee on Cities—Counties—First-Second and Second Class A.

By Messrs. PRICE and HELM. HOUSE BILL No. 1516.

An Act to amend section 1081 of the act approved the thirtieth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto", by further providing for the powers and duties of district superintendents.

Referred to the Committee on Education.

By Mr. SPENCER. HOUSE BILL No. 1517.

An Act to further amend clause twelve of section three of the act, approved the tenth day of May, one thousand nine hundred thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws," by providing for the acquisition of certain mineral resource lands.

Referred to the Committee on State Government.

By Mr. FROST. HOUSE BILL No. 1518.

A Supplement to the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting former contributors who have become State employes and members of the State Employes' Retirement Association to restore membership in the Public School Employes' Retirement Association and authorizing the transfer of monetary credits in the Public School Employes' Retirement Association to the State Employes' Retirement Association under certain conditions.

Referred to the Committee on Appropriations.

By Mr. FROST. HOUSE BILL No. 1519.

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties", by permitting any State employe, as a contributor under the provisions of the State employes' retirement system and who was an employe under the public school system of the Commonwealth and made contributions to the Public School employes' Retirement Fund on account of such public school service, to obtain credit for such service in the State employes' retirement system under certain conditions.

Referred to the Committee on Appropriations.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 15, 1953.

Whereas, The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability;

Whereas, The lower wages paid abroad make it impossible for many of our own smaller and medium-sized producers to compete with imports without resorting to ruinous pricecutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment;

Whereas, Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedent high level, or close thereto, lest we become insolvent;

Whereas Pressure that cames from imports of residual fuel oil, having risen from an average of fifty million barrels in the 1946-1948 period to more than one hundred twenty-five million in 1952, or the equivalent of thirty-one million tons of coal; from imports of pottery, watches and parts, glassware, lace, carpets and other textiles, hats and millinery, chemicals, scientific apparatus, cutlery, dairy products, wall paper, luggage and leather goods, and many other articles, will render the upholding of the economy at its high levels most uncertain and difficult, unless all import trade is placed on a fair competitive

basis and the potential injury therefrom this contained; and

Whereas, A maximum of such trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (if the House of Representatives concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation against the destruction or lowering of our American standard of living, the labor standards of our workmen, and the stability of our economy of unfair import competition and that existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United State Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 554.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

Referred to the Committee on Education.

SENATE BILL No. 673.

An Act to add sections nine hundred eleven, nine hundred twelve, nine hundred thirteen, nine hundred fourteen and nine hundred fifteen to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain powers of the Department of Welfare to the Department of Justice; and imposing certain duties upon the Department of Justice.

Referred to the Committe on State Government.

SENATE BILL No. 686.

An Act to further amend clause ten of section three hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by designating the Department of Justice for the Department of Welfare.

Referred to the Committee on State Government.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 965.

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties

HOUSE BILL No. 1172.

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

HOUSE BILL No. 1271.

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the compensation of auditors.

HOUSE BILL No. 1285.

An Act to further amend subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies as sureties on bonds of tax collectors.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 631.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to zoning ordinances.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 671.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined, by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

Referred to the Committee on State Government.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 965.

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties

HOUSE BILL No. 1172.

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

HOUSE BILL No. 1271.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

HOUSE BILL No. 1285.

An Act to further amend subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies as sureties on bonds of tax collectors

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 24, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 29, 1953 at three o'clock P. M., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, June 29, 1953 at three thirty o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

SENATE MESSAGE LAID ON TABLE

Mr. KENT. Mr. Speaker, I move that the communication from the Senate to laid upon the table.

The motion was agreed to.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, Thursday, June 25, 1953.

Resolved, (if the House of Representatives concurs), That when the Senate adjourns this week, it re-convene on Monday, July 6, 1953, at 3:00 o'clock p. m. E. S. T.,

unless sooner re-convened by the President Pro Tempore of the Senate and when the House of Representatives adjourns this week, it re-convene on Monday, June 29, 1953 at 3:30 p. m. E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. OGILVIE. Mr. Speaker, I move that this House do now adjourn until Monday, June 29, at 3:30 p. m. E S T.

The motion was agreed to, and (at 3:42 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

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HOUSE OF REPRESENTATIVES

MONDAY, JUNE 29, 1953

The House met at 3:30 p. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Reverend John Yates, Harrisburg, guest Chaplain, offered the following prayer:

Our Gracious God, We pray Thee for this House of Representatives here assembled. Direct and prosper their consultations, to the advancement of the safety, honour and welfare of the Commonwealth of Pennsylvania. In Christ's Name we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journals of Wednesday and Thursday, June 24 and 25, 1953?

Mr. POLASKI. Mr. Speaker, I move that the approval of the Journals for Wednesday and Thursday, June 24 and 25, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. WOOD. HOUSE BILL No. 1520.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 1521.

An Act to provide revenue by imposing a State tax relating to certificates of title of motor vehicles, trailers and semi-trailers; prescribing and regulating the manner and method of payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations and corporations, and the Department of Revenue; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. WOOD. HOUSE BILL No. 1522.

An Act making an appropriation to the Department of Wefare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Mr. WOOD. HOUSE BILL No. 1523.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 590, 629, 1101, and 1257.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 590, Printer's No. 129, entitled "An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 629, Printer's No. 203, entitled "An Act to further amend Section 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1101, Printer's No.

225, entitled "An Act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1257, Printer's No. 289, entitled "An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties."

JOHN S. FINE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1348, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the approval of the electorate before school districts may enter into contracts with the State Public School Building Authority or any municipality authority or any non-profit corporation for the leasing of projects; and further regulating Commonwealth payments to school districts on account of such obligations.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 1 (Sec. 779), page 2, line 11, by striking out "or athletic stadia."

Amend Sec. 1, (Sec. 779), page 2, line 13, by inserting after "corporation," "the cost of which exceeds five per-centum (5%) of the market value of the taxable property in the district as fixed by the State Tax Equalization Board."

Amend Sec. 1, (Sec. 779), page 3, lines 11 and 12, by striking out "athletic stadia."

Amend Sec. 1, (Sec. 779), page 3, lines 12, 13 and 14, by striking out "the maximum amount of the annual" in line 12, all of line 13 and "contract" in line 14.

Amend Sec. 1, (Sec. 779), page 3, line 19, by striking out "four" and inserting in lieu thereof: "one."

Amend Sec. 1 (Sec. 779), page 4, line 3, by inserting after "act," "or to any project approved by the Department of Public Instruction as to which the district, prior to such date, has incurred a financial obligation."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 2 (Sec. 2511.1), page 4, line 15, by striking out "Department" and inserting in lieu thereof: "Superintendent."

Amend Sec. 2 (Sec. 2511.1), page 5, lines 6 and 7, by striking out "or providing educational equipment."

Amend Sec. 2 (Sec. 2511.1), page 5, line 14, by striking out "fixed charges" and inserting in lieu thereof: "interest."

Amend Sec. 2 (Sec. 2511.1), page 7, line 3, by striking out "or providing education equipment."

Amend Sec. 2, (Sec. 2511.1), page 7, line 10, by striking out "fixed charges" and inserting in lieu thereof: "interest."

Add after line 11 on page 9, Sec. 3: "The provisions of this Act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1390, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles changing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads prescribing and changing penalties providing for confication and sale of vehicles and the divestiture of titles liens and encumbrances in default of payment of certain fines and for disposition of their loads and imposing duties upon operators owners magistrates and sheriffs changing the provisions for signs upon restricted highways and changing the disposition of fines and penalties for violations of restrictions upon such highways

The first to fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. VARNER offered the following amendment:

Amend Sec. 5, page 16, line 3 by inserting after "approved," "the twenty-seventh day of April, one thousand nine hundred forty-five (P. L. 328) and as last amended in part by the acts approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1412), the twenty-fourth day of August, one thousand nine hundred fifty-one (P. L. 1368) and."

It was agreed to.

The section was agreed to as amended.

The sixth and seventh sections were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. VARNER offered the following amendment:

Amend Sec. 8 (Sec. 1207) page 34, line 20 by inserting after "township," "wherein the violation occurred to be used by such city, borough, incorporated town or township."

It was agreed to.

The section was agreed to as amended.

The ninth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1415, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security thereof prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 326, entitled:

An Act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class singly or jointly prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate public auditoriums to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities empowering such Authorities to enter into contracts leases and licenses with and to accept grants from private sources the Federal Government State political subdivisions of the State or any agency thereof authorizing the making of said grants from bond funds or current revenues authorizing Authorities to collect rentals admissions license fees for the use of the project exempting the property and securities of such Public Auditorium Authorities from taxation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeding to the second reading and consideration of Senate Bill No. 471, entitled:

An Act relating to counties of the second class amending revising consolidating and changing the laws relating thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. TOMPKINS,

The House resumed the consideration on final passage of House Bill No. 608, entitled:

A Joint Resolution proposing an amendment to article five section thirteen of the Constitution of the Commonwealth of Pensylvania by further providing for the disposition of fees fines and penalties in magistrates courts in Philadelphia

On the question.
Shall the bill pass finally?

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

TIME EXTENDED ON BILLS

The SPEAKER. If there is no objection the time on House Bill No. 623, Printer's No. 232, on page 11 of today's calendar, bills on final passage postponed, will be extended five days. The Chair hears none.

The SPEAKER. If there is no objection the time on House Bill No. 649, Printer's No. 236, on page 11 of today's calendar, bills on final passage postponed, will be extended five days. The Chair hears none.

The SPEAKER. If there is no objection the time on House Bill No. 908, Printer's No. 168, on page 11 of today's calendar, bills on final passage postponed, will be extended five days. The Chair hears none.

PERMISSION TO ADDRESS HOUSE

Mr. SARRAF asked and obtained unanimous consent to address the House.

Mr. Speaker, I have just been informed that Senator John M. Walker has issued a statement to the "Press" in Pittsburgh, saying that the Democratic House delegation from Allegheny County had run out on an alleged agreement which was supposed to have been reached at a meeting at the Capitol last Thursday.

The gentleman who issued this statement is a past master at running out, as he did so clearly in the 1951 session on the "income tax." After appealing to the Republican House members from Allegheny County to vote for the "income tax" in the House, he ran out on his own Governor's program in the Senate and caused the session to be extended until the time of the Christmas holidays.

In the meeting held last Thursday there was some discussion concerning the increase of the head tax in the City of Pittsburgh for school purposes, and the statement was made very clearly, as was borne out by the stories in the Pittsburgh papers the past two days, that my colleagues Mr. Jones, Mr. Richter, Mr. Vaughn and myself were to co-sponsor the legislation to equalize the state subsidy per teaching unit with that of Philadelphia and any thought of an increase in the per capita tax was to be taken before both the Republican and Democratic caucuses in Allegheny County. Further, the small committee of members of both House and Senate from Allegheny County that met in Senator Walker's office for the purpose of discussing the school situation in the City of Pittsburgh had no authority to bind members of either party from Allegheny County, as was so stated by Senator Barr and Representative Ewing and myself.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 633, entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; requiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SCOTT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. JOHNSON, vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Carbon, Mr. SCOTT, vote on the third reading of this bill?

Mr. SCOTT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 12, line 11, by striking out after the word "of" and before the word "on" the following: "seven and one-half per centum (7½%)" and inserting in lieu thereof: "six per centum (6%)."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 814, entitled:

An Act to reenact and amend Section 24 of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine by excluding foreign insurance companies from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and by extending the effective period of the tax.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 6 of the title by striking out after the word "by" and before the word "the" the following: "excluding foreign insurance companies from" and inserting in lieu thereof the following: "extending the effective period of."

Amend page 1, line 8 of the title by striking out after the word "Commonwealth" and before the word "by" the word "and."

Amend page 1, line 9 of the title by strikng out the entire line and inserting in lieu thereof the following: "domestic insurances companies, associations and exchanges, and by reducing the rate of tax as to mutual fire and casualty companies without capital stock."

Amend page 2, line 11, by inserting after the word "incorporated" and before the word "by" the following: "or organized."

Amend page 3, line 7, by inserting after the word "exchange" and before the word "shall" the following: "except fire and casualty companies doing business upon the mutual plan without any capital stock."

Amend page 3, line 16, by inserting at the end of the line after the word "period," the following: "Every fire or casualty company doing business upon the mutual plan without any capital stock shall pay a similar tax of eight (8) mills on each dollar of the gross amount of said premiums, premium deposits and assessments received from business transacted within this Commonwealth."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1343, entitled:

An Act to further amend Section 4 of the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by increasing the State tax upon the sale or gift of cigarettes by dealers.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title, by striking out after the word "amend" and before the numeral "4" the following: "Section," and inserting in lieu thereof the following: "Sections."

Amend page 1, line 1 of the title, by inserting after the numeral "4" and before the word "of" the following: "and 6."

Amend page 2, line 4 of the title, by inserting at the end of the line after the word "dealers" the following: "and by increasing the commission paid to agents appointed to affix stamps."

Amend Section 1, page 2, line 1, by striking out after the nuremal "1" and before the numeral "4" the following: "Section," and inserting in lieu thereof the following: "Sections."

Amend Section 1, page 2, line 1, by inserting after the numeral "4" and before the word "of" the following: "and 6."

Amend Section 1, page 2, line 12, by striking out after the parenthesis following the numerals "471" and before the word "hereby" the following: "is," and inserting in lieu thereof the following: "are."

Amend Section 1, page 4, by inserting between lines 3 and 4 the following: "Section 6. The department shall prescribe, prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act. The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary.

The department shall appoint wholesale dealers in cigarettes within this Commonwealth and may appoint any other persons, within or without the Commonwealth, as agents to affix the stamps to be used in paying the tax herein imposed upon sales of cigarettes, but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control, and whenever the department shall sell, consign or deliver to any such agent any such stamps, such agent shall be entitled to receive as compensation for his services and expenses as such agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps a commission of [four] six per centum on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department. The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent, upon payment by him into the State Treasury, through the department, of any moneys which may be, or become due, to the Commonwealth by reason of the sale, delivery or consignment to such agent of such stamps.

Amend Section 2, page 4, line 4, by striking out at the end of the line after the word "effective" the following: "twenty," and inserting in lieu thereof the following: "thirty."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,
House Bill No. 155, Printer's No. 404,
House Bill No. 1203, Printer's No. 390 and
House Bill No. 1376, Printer's No. 431,
were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,
House Bill No. 30, Printer's No. 397,
House Bill No. 168, Printer's No. 370,
House Bill No. 627, Printer's No. 373,
House Bill No. 641, Printer's No. 417,
House Bill No. 789, Printer's No. 378,
House Bill No. 834, Printer's No. 345,
House Bill No. 894, Printer's No. 299,
House Bill No. 900, Printer's No. 392,
House Bill No. 1098, Printer's No. 393,
House Bill No. 1204, Printer's No. 407,
House Bill No. 1240, Printer's No. 389,
House Bill No. 1297, Printer's No. 421,
House Bill No. 1324, Printer's No. 411,
House Bill No. 1330, Printer's No. 422,
House Bill No. 1347, Printer's No. 381,
House Bill No. 1349, Printer's No. 336,
House Bill No. 1359, Printer's No. 342,
House Bill No. 1377, Printer's No. 284,
House Bill No. 1401, Printer's No. 395,
House Bill No. 1441, Printer's No. 414,
Senate Bill No. 63, Printer's No. 172,
Senate Bill No. 96, Printer's No. 334,
Senate Bill No. 199, Printer's No. 231,
Senate Bill No. 207, Printer's No. 278,
Senate Bill No. 258, Printer's No. 240,
Senate Bill No. 259, Printer's No. 211,
Senate Bill No. 260, Printer's No. 212,
Senate Bill No. 282, Printer's No. 110,
Senate Bill No. 359, Printer's No. 354,
Senate Bill No. 489, Printer's No. 290,
Senate Bill No. 528, Printer's No. 234,
Senate Bill No. 543, Printer's No. 302,
Senate Bill No. 563, Printer's No. 273,
Senate Bill No. 589, Printer's No. 249 and
Senate Bill No. 597, Printer's No. 252,
were passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEES

Mr. BREISCH, from the Committee on Appropriations, reported as committed, House Bill No. 1505, entitled:

An Act to amend the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1565), entitled "An act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled 'An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau,' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations," by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June, one thousand nine hundred fifty-three and each regular session thereafter.

Mr. HEWITT, from the Committee on Appropriations, reported as committed, House Bill No. 1520, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending may thirty-first one thousand nine hundred fifty-three.

Mr. REAGAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 85, entitled:

An Act to amend the act approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," by changing the conditions for expending appropriation for incidental expenses of the Senate.

BILLS ON FIRST READING

Mr. ERB asked and obtained unanimous consent for House Bill No. 1505 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1505, entitled:

An Act to amend the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1565), entitled "An act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled 'An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau,' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations," by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June, one thousand nine hundred fifty-three and each regular session thereafter.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. HEWITT asked and obtained unanimous consent for House Bill No. 1520 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1520, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. REAGAN asked and obtained unanimous consent for Senate Bill No. 85, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 85, entitled:

An Act to amend the act approved the twenty-first day of January one thousand and nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" by changing the conditions for expending appropriation for incidental expenses of the Senate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTIONS

Mr. BOLTON offered a resolution which was filed with the Clerk.

Mr. WORLEY offered a resolution which was filed with the clerk.

RESOLUTION

CONDOLENCE

Mrs. MUNLEY, Messrs. NEEDHAM, WARGO and REIDENBACH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 25, 1953.

Harry P. O'Neill, one of the best loved men in Pennsylvania politics, died suddenly at Mercy Hospital at 1:30 A. M., Wednesday, June 24th.

He was born in Dunmore, Pennsylvania on February 10, 1889, went to work at an early age in a breaker: worked evenings as an apprentice barber and later purchased his employer's business which he conducted for many years thereafter. His interest then spread to insurance and he became a general insurance broker.

Harry O'Neill was a member of various fraternal and civic organizations, including the Woodmen of the World, the International Order of Elks, Knights of Columbus, and the Friendly Sons of St. Patrick of Lackawanna of which last organization, he was President for some time.

He was a member of this House of Representatives for ten consecutive terms, namely from 1928 to 1948 and was the Dean of the Democratic party in the House of Representatives of Pennsylvania when he was elected as Congressman, from the tenth legislative district. He served two terms in the Congress of the United States.

Margaret, his wife, and seven children, Harry Jr., Joseph D., William G., Paul D., Margaret A., Lois C. and Marian T. survive him.

His life was motivated by kindliness and interest in everyone. He knew nothing of self-interest and everything of generousness. He was a model legislator, a loyal friend and a man of such deep affections that everyone who knew him, had a friend, the kind of a friend who would listen quietly and then in a pleasing smiling way, give the right answer. His life gave truth to the saying that everyone who knew him was the better for having known him.

The House of Representatives hereby expresses its profound sympathy to the surviving members of the family of Harry P. O'Neill and requests and directs the Clerk of this House to transmit a copy of this resolution to the widow of Harry P. O'Neill and his family at Dunmore, Pennsylvania.

MOTION TO RECONSIDER VOTE ON HOUSE BILL 1216

Mr. BOLTON. Mr. Speaker, I move that the vote by which House Bill No. 1216, Printer's No. 326, entitled:

"An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1929,' by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters"

was defeated on final passage, June 11, 1953, be reconsidered.

Mr. KRATZ. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Bolton vote on the final passage of this bill?

Mr. BOLTON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Kratz vote on the final passage of this bill?

Mr. KRATZ. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, this is a controversial measure and I think the gentleman should have delayed his motion to reconsider until all of the Members who were interested in the measure were here in the House. I think it would be a perfectly proper motion tomorrow.

The SPEAKER. The Chair would inform the Minority Leader that this is the last day a motion to reconsider can be made under the Rule.

Mr. BOLTON. Mr. Speaker, I was about to inform the Minority Leader of that fact.

Mr. ANDREWS. Mr. Speaker, under unanimous consent, can we extend the time one day. Is there not some parliamentary — — —

The SPEAKER. For the information of the gentleman, the House can extend the time by unanimous consent.

Without objection, the time for moving to reconsider the vote on House Bill 1216 will be extended for one day. The Chair hears no objection.

ANNOUNCEMENT

The SPEAKER. The Chair announces with profound regret at this time the death of the brother of our Chief Clerk, Mr. Habbyshaw. That is the reason for the absence of the Chief Clerk today.

COMMITTEE MEETINGS

CITIES—THIRD CLASS—Mr. Mikula, Chairman, Room 521, Tuesday, June 30, at 11:30 a. m. DST.

There will be a very important caucus of the Philadelphia Democratic delegation one half hour before tomorrow's session.

There will be a meeting in the New House Caucus Room at 10:00 a. m. DST., Tuesday, June 30, on the Road Allocation Bills. House Bill 418, House Bill 650 and Senate Bill 344 will be up for discussion. All Legislators are invited to attend.

The meeting on Child Care called for 12:15 Tuesday in House Caucus Room has been changed because the room is not available. Therefore, you are all invited to the Penn Harris Ball Room at 11:00 a. m. After this meeting, the group will adjourn to the Capitol Rotunda. The sponsors urge your attendance at both meetings.

Called By: Governor's Committee on Children & Youth,
Pennsylvania Council of Churches,
Pennsylvania Citizens Association,
American Legion,
Pennsylvania Federation of Womens' Clubs.

ADJOURNMENT

Mr. JOHNSON. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 30, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 6:53 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, JUNE 30, 1953. No. 57.

HOUSE OF REPRESENTATIVES

TUESDAY, June 30, 1953.

The House met at 12:00 o'clock noon EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, the Holy Ghost, we Thine unworthy servants most humbly beseech Thee to be our light and strength in our present work. Come to us and teach us what to do, that by Thy help we may please Thee in all things.. Let not our ignorance draw us astray, nor respect of persons corrupt our hearts, O blessed Spirit whom, with the Father and Son together, we worship and glorify as one God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, June 29, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Monday, June 29, 1953 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. MILLS and MAXWELL.

HOUSE BILL No. 1524.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous for refunds," by providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

Referred to the Committee on Motor Vehicles.

By Mr. WHITE. HOUSE BILL No. 1525.

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly.

Referred to the Committee on Appropriations.

By Messrs. RAGOT and PEIFLY.

HOUSE BILL No. 1526.

An Act to provide revenue for public school purposes by imposing a tax on real estate; providing for the assessment and collection of the same and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. RAGOT and PEIFLY.

HOUSE BILL No. 1527.

An Act imposing a tax on the use of telephones; providing for the collection thereof and imposing duties on telephone utilities and imposing penalties.

Referred to the Committee on Ways and Means.

By Messrs. RAGOT and PEIFLY.

HOUSE BILL No. 1528.

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties.

Referred to the Committee on Ways and Means.

By Messrs. ROBERT K. HAMILTON and HAUDENSHIELD. HOUSE BILL No. 1529.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by providing for annexation of certain territory in townships of the first class used as parks by boroughs.

Referred to the Committee on Municipal Corporations.

By Mr. WILBUR H. HAMILTON. HOUSE BILL No. 1530.

An Act to further amend the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by further defining "receipts" in the case of sales in a natural state of mined products.

Referred to the Committee on Education.

By Mr. GRAMLICH. HOUSE BILL No. 1531.

An Act to further amend Section 1601 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring the city solicitor to maintain his principal law office in the city.

Referred to the Committee on Cities—Third Class.

By Messrs. NAUGLE and WHALLEY. HOUSE BILL No. 1532.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land with buildings thereon in the Township of Somerset, Somerset County, Pennsylvania, containing 132 acres, more or less, for the use of the Somerset State Hospital; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. CONNER. HOUSE BILL No. 1533.

An Act to further amend Sections 2002 and 4408 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing that the mayor may not delegate his power of appointment as to the police force and making salary changes and demotions subject to civil service provisions.

Referred to the Committee on Cities—Third Class.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BOLTON. (Concurrent) RESOLUTION No. 69.

In the House of Representatives, June 29, 1953.

It has been said "A Little education is a dangerous thing." However, the author may have meant it to be interpreted, it is increasingly apparent, that the present rising costs of public education are creating a situation in our State whereby we shall be able to provide only "a little education" for our children.

The "dangerous" element will manifest itself in the decline of our State's contribution to the various fields of human endeavor, ultimately bringing about the loss of our standards of living and morality, together with the loss of our free society.

The cost of public school education in Pennsylvania has risen from $140,449,000 for the 1945-47 biennium to $315,149,990 for the 1951-53 biennium. The Governor has requested $396,755,305 for the 1953-55 biennium to which must be added at least $1,999,000 for so-called Departmental expenses, making the proposed staggering cost of public school education for the next two years $397,954,305.

In spite of these astronomical figures, our children are being led away from the basic courses of education, such as science, mathematics, English grammer, history and geography toward such "useful fields of education" as domestic science, driver training, diversified arts courses, ranging from making ceramic ash trays to basket weaving. Experimental modern teaching methods are replacing the older, proven methods of education.

Local school districts find that the present salary budgets for 1953, exceed the total school expenditures of 1947. In addition, local taxation has reached the twin barriers of diminishing returns and legal prohibition, and all this at a time when most school districts desperately need additional buildings; now therefore be it

Resolved, (if the Senate concur), That the Joint State Government Commission shall investigate public education and the staggering costs of public education and report its findings and recommendations to the next session of the General Assembly.

Referred to the Committee on Rules.

By Mr. WORLEY. RESOLUTION (Not Printed).

In the House of Representatives, June 29, 1953.

Charles Ephiram Gettier, a Republican Committeeman of Littlestown and a file clerk of the State Workmen's Insurance office, Harrisburg, died suddenly at this home in Littlestown on June 14.

He was a son of the late Dr. C. P. and Elizabeth Louise Myers Gettier. He served in France in World War I and was a brother of the late Dr. H. E. Gettier, who was a practicing physician in Littlestown for many years.

Mr. Gettier was a member of Redeemer's Reformed Church and was affiliated with Hanover Post No. 2506 V.F.W. and Masonic orders.

The House of Representatives hereby expresses its sympathy to the two surviving members of his immediate family, Miss Mabel Gettier, West King Street, Littlestown and Mrs. Edgar A. Miller, Gettysburg, Pennsylvania, and the clerk of the House is hereby requested to send copies of this resolution to them.

Referred to the Committee on Rules.

The SPEAKER. The Chair requests the gentleman from Indiana to come to the rostrum so that he may act as Speaker pro tempore for part of today's session.

Mr. HEWITT IN THE CHAIR.

REPORTS FROM COMMITTEES

Mr. WALSH, from the Committee on Cities—Third Class, reported as amended, House Bill No. 1281, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for parks, recreation areas and facilities.

Mr. OGILVIE, from the Committe on Cities—Third

Class, reported as committed, House Bill No. 1393, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the appointment of a deputy city treasurer and prescribing his powers and duties.

PERMISSION TO ADDRESS HOUSE

Mr. FROST asked and obtained unanimous consent to address the House.

Mr. Speaker, in honor of the temporary Speaker I want to inform the House that I am smoking black cigars today.

The SPEAKER pro tempore. The remarks of the gentleman from Centre will be placed upon the record and I only hope he has more than one. If he has he may send them to the desk. This is the first time in forty years I have been where I could not have one.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1416, entitled:

An Act to further amend Section 1 of Article XII of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by conforming the same to existing law making the city treasurer an elective office.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. VAUGHAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties—First-Second and Second Class A.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1505, entitled:

An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1520, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 85, entitled:

An Act to amend the act approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Department of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," by changing the conditions for expending appropriation for incidental expenses of the Senate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 155, Printer's No. 404

was passed over at the request of Mr. SARRAF.

There being no objection

House Bill No. 633, Printer's No. 438
House Bill No. 814, Printer's No. 439
House Bill No. 1203, Printer's No. 390
House Bill No. 1343, Printer's No. 440 and
House Bill No. 1376, Printer's No. 431

were passed over at the request of the SPEAKER pro tempore.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 30, as follows:

An Act to amend section 464 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in

storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating appeals and providing for appeals from the Superior Court to the Supereme Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 464 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" is hereby amended to read as follows

Section 464 Hearings Upon Refusal of Licenses Renewals or Transfers Appeals—The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or any applicant for any malt or brewed beverage license other than a public service license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license may take an appeal limited to the question of such grievance within twenty days from date of refusal or grant to the court of quarter sessions of the county in which the premises applied for is located or the county court of Allegheny County Such appeal shall be upon petition of the aggrieved party who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The court shall hear the application de novo on questions of fact administrative discretion and such other matters as are involved at such time as it shall fix of which notice shall be given to the board The court shall either sustain or over-rule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant The parties to the proceeding may within thirty days from the filing of the order or decree of said court appeal therefrom to the Superior Court and within thirty days of its decision may file an appeal therefrom to the Supreme Court

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Geer,	Markley,	Schuster,
Alexander,	Gibson,	Mathews,	Schwartz,
Amarando,	Gleason,	Maxwell,	Scott,
Andrews,	Glick,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Snider,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Gutbrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Brown,	Hocker,	Moore,	Thomas,
Bucchin,	Hoggard,	Moran,	Thompson,
Buchanan,	Ide,	Moscrip,	Toll,
Breisch,	Jenkins,	Muldowney,	Tompkins,
Breth,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Waterhouse,
Cooper,	Kerlin,	Petrosky,	Wargo,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Light,	Richter,	Yeakel,
Filo,	Limper,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker

NAYS—1

Lippincott,

NOT VOTING—3

Goodling, Murray, P. G., Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 168, Printer's No. 370

was passed over at the request of Mr. SARRAF.

There being no objection

House Bill No. 627, Printer's No. 373

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, as follows:

An Act to further amend subsection (e) of Section 628 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the fees for registration of firearms

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of Section 628 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 485) is hereby further amended to read as follows

Section 628 Uniform Firearms Act

* * * * *

(e) Firearms Not To Be Carried Without a License Exceptions No person shall carry a fire arm in any vehicle or concealed on or about his person except in his place of abode or fixed place of business without a license therefor as hereinafter provided

The provisions of clause (e) shall not apply (I) to constables sheriffs prison or jail wardens or their deputies policemen of the Commonwealth or its political subdivisions or other law-enforcement officers (II) or to members of the army navy or marine corps of the United States or of the national guard or organized reserves when on duty (III) or to regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this Commonwealth (IV) or to the members of any organization incorporated under the laws of this Commonwealth engaged in target shooting with rifle pistol or revolver provided such members are at or are going to or from their places of assembly or target practice (V) or to officers or employes of the United States duly authorized to carry a concealed firearm (VI) or to agents messengers and other employes of common carriers banks or business firms whose duties require them to protect moneys valuables and other property in the discharge of such duties (VII) or to any person engaged in the business of manufacturing repairing or dealing in firearms or the agent or representative of any such person having in his possession using or carrying a firearm in the usual or ordinary course of such business (VIII) or to any person while carrying a firearm unloaded and in a secure wrapper from the place of purchase to his home or place of business or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another (IX) or to persons licensed to hunt or fish in this Commonwealth provided that such persons are actually hunting or fishing or are going to the places where they desire to hunt or fish or returning from such places or to persons training dogs Provided That such persons are actually training dogs during the regular training season Provided however That before any such exemption shall be granted to any person licensed to hunt or fish or who desires to train dogs such person shall at the time of securing his hunting or fishing license or any time after any such license has issued register with the county treasurer the make of the firearm he desires to carry and the caliber and number thereof on a blank to be furnished by the Commissioner of the Pennsylvania State Police The original registration shall be delivered to the person registering such firearm and a copy thereof shall be forwarded by the county treasurer to the Commissioner of the Pennsylvania State Police The county treasurer shall be entitled to collect a fee of [fifteen (15)] fifty (50) cents for each such registration of a firearm The registration of a firearm as herein provided shall be good only for the year for which the hunting or fishing license in connection with which it is granted is issued

Any such registration of a firearm may be revoked by the county treasurer issuing the same upon written notice to the holder thereof and any person aggrieved by the action of a county treasurer in revoking such registration may appeal from such action in the manner provided by clause (k) of this section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Geer,	Markley,	Schuster,
Alexander,	Gibson,	Mathews,	Schwartz,
Amarando,	Gleason,	Maxwell,	Scott,
Andrews,	Glick,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Snider,
Barkdoll,	Gutendorf,	McGee,	Spencer,
Baumunk,	Guthrie,	McInroy,	Stank,
Bazin,	Hall,	McWherter,	Stevenson,
Bear,	Hamilton, R. K.,	Metz,	Stimmel,
Blair,	Hamilton, W. H.,	Mihm,	Stone,
Boies,	Haudenshield,	Mikula,	Stoner,
Bolton,	Harris,	Miller,	Strausser,
Bomberger,	Helm,	Mills,	Sucher,
Boory,	Hersch,	Monroe,	Taylor,
Bower,	Hewitt,	Moody,	Thomas,
Breisch,	Hocker,	Moore,	Thompson,
Breth,	Hoggard,	Moran,	Toll,
Brown,	Ide,	Moscrip,	Tompkins,
Bucchin,	Jenkins,	Muldowney,	Toomey,
Buchanan,	Jim,	Munley,	VanSant,
Bullen,	Johnson,	Murray, J. J.,	Varallo,
Capano,	Jones, Geo. E.,	Musto,	Varner,
Cianfrani,	Jones, Gran'le E.	Naugle,	Vaughan,
Cioffi,	Jones, Paul F.,	Needham,	Verona,
Clapper,	Jones, T. H. W.,	Ogilvie,	Wall,
Cochran,	Jump,	Olsen,	Wallace,
Comer,	Kamyk,	Parlante,	Walsh,
Connelly,	Keller,	Peifly,	Wargo,
Conner,	Kent,	Peta,	Waterhouse,
Cooper,	Kerlin,	Petrosky,	Weidner,
Coyle,	Kline,	Pettigrew,	Welsh,
Curwood,	Kohl,	Pfaff,	Wescott,
Davis,	Kolankiewicz,	Phillips,	Whalley,
Dougherty,	Kornick,	Polaski,	Wheeler,
Down,	Kratz,	Polen,	White,
Downey,	Kromer,	Poltenstein,	Whitenight,
DuBois,	Kubacki,	Price,	Willaredt,
Dunn,	Lafore,	Quisenberry,	Williams,
Erb,	Lederer,	Ragot,	Wilt,
Ewing,	Leisey,	Readinger,	Wood,
Farabaugh,	Leonard,	Reagan,	Worley,
Fenrich,	Leven,	Reidenbach,	Yeakel,
Ferster,	Light,	Richter,	Yetzer,
Filo,	Limper,	Rosen,	Young,
Flack,	Lippincott,	Rovansek,	Zeitz
Fleischman,	Lopresti,	Royer,	Ziegler,

Floyd,	Lutty,	Rubin,	Smith, C. C.,
Flynn,	Maguire,	Sarraf,	Speaker
Frost,	Mahan,	Schmidt,	

NAYS—2

Lovett,	Smith, W. B.,

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, this week important conferences were held by both parties with respect to a tax program to try and raise the revenue to balance the Governor's budget.

The program was submitted to the Republican caucus yesterday and I believe was discussed in the Democratic caucus, that is, the Republican program, was discussed also in the other caucus.

I do not believe that on this side of the House we are ready to move a tax program this week. Therefore it would seem advisable while conferences are being held further on this very important matter, that this General Assembly could well recess today to come back next Monday to go to work.

Therefore, so that ample time will be given to the Members to get down to the hotels to check out so that they will not be charged for an extra day, I would respectfully request the Chair to declare a twenty minute recess.

Also I believe a caucus of the Philadelphia Members is being held, and it will be another twenty minutes more before that particular caucus will be finished.

I might say that we have on the calendar the General Appropriation bill which of necessity cannot move until we have raised the revenue to provide for the appropriations which will be necessary to run the Commonwealth for the next two years. That bill is No. 1520 on today's calendar.

If we go home today let us come back here Monday; everybody be back here Monday—we will have a Call of the House next Monday. We will be ready to do business. We will not have a consent calendar then. We want to have Monday, Tuesday, Wednesday, Thursday and Friday of next week as good working days, when everybody will be present on both side of the House.

Therefore, I now ask the Chair to please declare a twenty minute recess.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise to agree in part with the Majority Leader and to assure the Majority Leader, first, that the Democratic Caucus has not discussed a tax program because we have had no tax program to discuss. We will not have a tax program to discuss until the Majority leadership has reached more definite convictions than it has been able to arrive at up to the present time.

I agree that no good purpose can be served by continuing the House in session the rest of this week. I think a period of contemplation and consultation will probably serve to clarify the thinking on the majority side, at least we can so trust. Then our worries will begin as, if and when we have a majority position to consider.

I agree with the Majority Leader, first, that we adjourn today to reconvene next Monday, and second, that we take a recess so that the Members can clear with their hotels and so that we can bring the Philadelphia delegation into the Hall of the House and proceed with the regular order of business.

Mr. JOHNSON. Mr. Speaker, I would like to say to the Members that at the end of the 20-minute recess we will have quite a long third reading calendar today and we would like to have the members come back promptly so that we can proceed with the business of the day. There are many important bills on the calendar which we intend to call up, and I believe there are some resolutions to be presented, so we implore all of you to come back immediately following the recess.

RECESS

The SPEAKER pro tempore. If there is no objection, the Chair will declare a recess for twenty minutes. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. HEWITT IN THE CHAIR

The SPEAKER (CHARLES C. SMITH) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Indiana, Mr. Hewitt, for presiding.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 789, entitled:

An Act to add section 54.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing that bonds of county officers and employes shall protect against loss of money by robbery and burglary and requiring the county to pay the cost of such bonds.

On the question,

Will the House agree to the bill on third reading?

Mr. STIMMEL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 5, by striking out "providing that bonds of" and inserting in lieu thereof: "requiring certain."

Amend Title, page 1, line 6, by striking out "shall protect" and inserting in lieu thereof: "to be insured."

Amend Title, page 1, line 7, by inserting after "by" "larceny."

Amend Title, page 1, line 8, by striking out "bonds" and inserting in lieu thereof: "insurance."

Amend Sec. 1, (Sec. 54.1), page 2, lines 7 to 13 both inclusive by striking out all of said lines and inserting in lieu thereof:

"Section 54.1. Insurance to Protect Against Robbery, Burglary and Larceny. Each county officer or employe who as part of his official duties handles money or has money in his possession at any time shall, in addition to any bond required by law, be covered by or furnish to the county adequate insurance indemnifying against the loss of such money through robbery, burglary and larceny. The cost of such insurance shall be paid by the county.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 834, Printer's No. 345

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 894, entitled:

An Act to amend Section 316 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers, providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing a corporation by action of its board of directors to grant pensions, allowances and stock options to its officers and other employees under certain circumstances and validating pensions, allowances and stock options heretofore granted.

On the question,

Will the House agree to the bill on third reading?

Mr. THOMAS H. W. JONES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, (Sec. 316), page 4, line 4, by inserting after "TIME"

And provided further, That any such allowance unless part of an employe benefit plan or employment contract in effect at the time of retirement or death of the officer, director or employe shall not exceed in total the amount of the compensation paid to him or her during the twelve months preceding retirement or death.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 900, as follows:

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties

Section 1 The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" is hereby amended by adding after section 3 thereof a new section to read as follows

Section 3.1 (a) Each company which shall pay the tax imposed and passed by this act shall be issued certificates in such form as may be prescribed by the Secretary of Revenue which shall be attached by the company as directed by the Secretary to the windshields of vehicles owned or operated by the company and for which the tax has been paid

(b) Any company which shall fail to attach the certificate prescribed by this act shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not more than ten dollars ($10)

(c) Any company which shall attach a certificate to any vehicle except as provided by this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not more than fifty dollars ($50)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Adam,	Guss,	McCann,	Scott,
Alexander,	Gutendorf,	McCormack,	Seyler,
Amarando,	Guthrie,	McDermit,	Shoemaker,
Andrews,	Hall,	McGee,	Smith, W. B.,
Bazin,	Hamilton, W. H.,	McWherter,	Snider,
Blair,	Harris,	Metz,	Spencer,
Bolton,	Haudenshield,	Mikula,	Stank,
Boory,	Helm,	Miller,	Stimmel,
Bower,	Hersch,	Mills,	Stone,
Breisch,	Hewitt,	Moody,	Stoner,
Breth,	Hoggard,	Moore,	Strausser,
Bucchin,	Ide,	Moran,	Taylor,
Buchanan,	Jim,	Moscrip,	Thomas,
Bullen,	Johnson,	Munley,	Toll,
Capano,	Jones, Geo. E.,	Musto,	Tompkins,
Cianfrani,	Jones, Granville E.,	Needham,	Toomey,
Clapper,	Jones, Paul F.,	Ogilvie,	VanSant,
Cochran,	Jones, T. H. W.,	Olsen,	Varallo,
Comer,	Jump,	Parlante,	Varner,
Connelly,	Kamyk,	Peta,	Vaughan,

Conner,	Keller,	Petrosky,	Wall,
Coyle,	Kent,	Pfaff,	Wallace,
Curwood,	Kohl,	Phillips,	Walsh,
Davis,	Kolankiewicz,	Polaski,	Wargo,
Dougherty,	Kromer,	Polen,	Weidner,
Down,	Kubacki,	Poltenstein,	Welsh,
Downey,	Lafore,	Price,	Wescott,
Dunn,	Lederer,	Quisenberry,	Wheeler,
Erb,	Leisey,	Ragot,	White,
Ewing,	Leonard,	Readinger,	Whitenight,
Farabaugh,	Leven,	Reagan,	Willaredt,
Fenrich,	Limper,	Reidenbach,	Williams,
Ferster,	Lippincott,	Richter,	Wood,
Fleischman,	Lopresti,	Rosen,	Yeakel,
Floyd,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C.,
Glick,	Mathews,	Schwartz,	Speaker
Greenwood,	Maxwell,		

NAYS—18

Ashton,	Filo,	Kratz,	Stevenson,
Banker,	Gleason,	Light,	Sucher,
Barkdoll,	Gramlich,	McCullough,	Wilt,
Bear,	Hocker,	Shotwell,	Worley,
DuBois,	Kerlin,		

NOT VOTING—26

Auker,	Flack,	Mihm,	Pettigrew,
Baumunk,	Goodling,	Monroe,	Schuster,
Boles,	Hamilton, R. K.,	Muldowney,	Thompson,
Bomberger,	Jenkins,	Murray, J. J.,	Verona,
Brown,	Kline,	Murray, P. G.,	Waterhouse,
Cioffi,	Kornick,	Naugle,	Watkins,
Cooper,	McInroy,	Peifly,	Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1098 as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article nine of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines Uniformity shall not be required in the case of income taxes on persons or corporations which may be graded or graduated and provide for exemption but all such taxes shall be levied and collected under general laws

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—155

Adam,	Guss,	McCann,	Shotwell,
Alexander,	Gutendorf,	McCormack,	Snider,
Amarando,	Guthrie,	McCullough,	Stank,
Andrews,	Hall,	McDermit,	Stimmel,
Baumunk,	Hamilton, W. H.,	McGee,	Stone,
Bazin,	Harris,	McInroy,	Stoner,
Bear,	Helm,	McWherter,	Strausser,
Blair,	Hersch,	Mikula,	Sucher,
Bomberger,	Hewitt,	Miller,	Taylor,
Boory,	Hocker,	Mills,	Thomas,
Bower,	Hoggard,	Moore,	Thompson,
Breisch,	Ide,	Moran,	Toll,
Breth,	Jim,	Moscrip,	Tompkins,
Bucchin,	Johnson,	Munley,	Toomey,
Buchanan,	Jones, Geo. E.,	Musto,	VanSant,
Bullen,	Jones, Gran'le E.,	Needham,	Varallo,
Cianfrani,	Jones, Paul F.,	Olsen,	Varner,
Clapper,	Jones, T. H. W.,	Parlante,	Vaughan,
Cochran,	Jump,	Peta,	Wall,
Comer,	Kamyk,	Petrosky,	Wallace,
Connelly,	Keller,	Pfaff,	Walsh,
Conner,	Kent,	Polaski,	Wargo,
Coyle,	Kerlin,	Polen,	Weidner,
Curwood,	Kohl,	Poltenstein,	Welsh,
Dougherty,	Kolankiewicz,	Price,	Wescott,
Downey,	Kratz,	Readinger,	Wheeler,
Dunn,	Kubacki,	Reagan,	White,
Erb,	Lederer,	Reidenbach,	Whitenight,
Farabaugh,	Leonard,	Richter,	Willaredt,
Fenrich,	Leven,	Rosen,	Williams,
Filo,	Limper,	Rovansek,	Wood,
Fleischman,	Lopresti,	Royer,	Worley,
Floyd,	Lovett,	Rubin,	Yeakel,
Flynn,	Lutty,	Sarraf,	Yetzer,
Frost,	Maguire,	Schmidt,	Young,
Geer,	Mahan,	Schwartz,	Zeitz,
Gibson,	Markley,	Scott,	Ziegler,
Glick,	Mathews,	Seyler,	Smith, C. C.,
Greenwood,	Maxwell,	Shoemaker,	Speaker

NAYS—25

Ashton,	DuBois,	Kornick,	Moody,
Banker,	Ewing,	Kromer,	Ogilvie,
Barkdoll,	Ferster,	Lafore,	Phillips,
Bolton,	Gleason,	Leisey,	Quisenberry,
Davis,	Gramlich,	Light,	Ragot,
Down,	Haudenshield,	Lippincott,	Spencer,
			Wilt,

NOT VOTING—27

Auker,	Goodling,	Muldowney,	Smith, W. B.,
Boles,	Hamilton, R. K.,	Murray, J. J.,	Stevenson,
Brown,	Jenkins,	Murray, P. G.,	Verona,
Capano,	Kline,	Naugle,	Waterhouse,
Cioffi,	Metz,	Peifly,	Watkins,
Cooper,	Mihm,	Pettigrew,	Whalley,
Flack,	Monroe,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same o the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1204, Printer's No. 407 and

House Bill No. 1240, Printer's No. 389,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1297, as follows:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing foreign banking institutions to conduct certain business and enforce certain rights in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article X of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended by adding at the end thereof a new section to read as follows

Section 1023 Foreign Banks A foreign banking institution may

(1) contract in this Commonwealth with a banking institution engaged in banking under the laws of this Commonwealth to acquire a part interest or the entire interest in any loan which such banking institution proposes to make or which it has heretofore or hereafter made together with a like interest in any security or security instrument proposed to be given or heretofore or hereafter given to secure or evidence such loan

(2) enforce in this Commonwealth obligations heretofore or hereafter acquired by it in the transaction of business outside of this Commonwealth or in the transaction of any business authorized by this section

(3) acquire hold lease mortgage contract with respect to or otherwise protect or convey property in this Commonwealth heretofore or hereafter assigned transferred mortgaged or conveyed to it as security for or in whole or part satisfaction of a loan or loans made by it or obligations acquired by it in the transaction of business outside of this Commonwealth or in the transaction of any business authorized by this section

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Polaski,	Welsh,
Davis,	Kornick,	Pfaff,	Wescott,
Dougherty,	Kratz,	Phillips,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1324, Printer's No. 411,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1330, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) and the penalty clause of Section 1012 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" the penalty clause of which was last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) and clause (d) of which was last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) are hereby further amended to read as follows

Section 1012 Signals on Starting Stopping or Turning

* * * * *

(d) The secretary is hereby authorized to make rules and regulations not inconsistent with this act for the efficient administration of this section

Commencing with 1954 model motor vehicles it shall be unlawful to operate on any public highway or street in this Commonwealth any motor vehicle registered in this Commonwealth unless such vehicle be equipped with mechanical or electrical directional signals of a type approved by the secretary

* * * * *

Penalty Any person violating any of the provisions of subsection (a) (b) (c) (d) (e) or (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Glick,	Mathews,	Schwartz,
Alexander,	Gramlich,	Maxwell,	Scott,
Amarando,	Greenwood,	McCann,	Seyler,
Andrews,	Gurs,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Blair,	Hamilton, W. H.,	Metz,	Stank,
Boles,	Harris,	Mihm,	Stevenson,
Bomberger,	Haudenshield,	Mikula,	Stimmel,
Boory,	Helm,	Miller,	Stone,
Bower,	Hersch,	Mills,	Stoner,
Breisch,	Hewitt,	Monroe,	Strausser,
Breth,	Hocker,	Moody,	Sucher,
Brown,	Hoggard,	Moore,	Taylor,
Bucchin,	Ide,	Moran,	Thomas,
Buchanan,	Jenkins,	Moscrip,	Thompson,
Bullen,	Jim,	Muldowney,	Toll,
Capano,	Johnson,	Munley,	Tompkins,
Cianfrani,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Cioffi,	Jones, Gran'le E.	Musto,	VanSant,
Clapper,	Jones, Paul F.,	Naugle,	Varallo,
Cochran,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Keller,	Olsen,	Verona,
Conner,	Kent,	Parlante,	Wall,
Cooper,	Kerlin,	Peifly,	Wallace,
Coyle,	Kline,	Peta,	Walsh
Curwood,	Kohl,	Petrosky,	Wargo,
Davis,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Weidner,
Down,	Kratz,	Phillips,	Welsh,
Downey,	Kromer,	Polaski,	Wescott,
Dunn,	Kubacki,	Polen,	Whalley,
Erb,	Lafore,	Poltenstein,	Wheeler,
Ewing,	Lederer,	Price,	White,
Farabaugh,	Leisey,	Quisenberry,	Whitenight,
Fenrich,	Leonard,	Ragot,	Willaredt,
Ferster,	Leven,	Readinger,	Williams,
Filo,	Light,	Reagan,	Wilt,
Flack,	Limper,	Reidenbach,	Wood,
Fleischman,	Lippincott,	Richter,	Worley,
Floyd,	Lopresti,	Rosen,	Yeakel,
Flynn,	Lovett,	Rovansek,	Yetzer,
Frost,	Lutty,	Royer,	Young,
Geer,	Maguire,	Rubin,	Zeitz,
Gibson,	Mahan,	Sarraf,	Ziegler,
Gleason,	Markley,	Schmidt,	Smith, C. C.,
		Schuster,	Speaker

NAYS—7

Ashton,	Bear,	DuBois,	McCormack,
Banker,	Bolton,	Jones, T. H. W.,	

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1347, Printer's No. 381

House Bill No. 1348, Printer's No. 441

House Bill No. 1349, Printer's No. 336
House Bill No. 1359, Printer's No. 342 and
House Bill No. 1377, Printer's No. 284
were passed over at the request of the SPEAKER.

There being no objection
House Bill No. 1390, Printer's No. 442
was passed over at the request of Mr. MORAN.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1401, entitled:

An Act authorizing corporations to grant stock options pensions and allowances under certain circumstances and validating stock options pensions and allowances heretofore granted

On the question,
Will the House agree to the bill on third reading?
Mr. THOMAS H. W. JONES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the Clerk for information.
The Clerk read the amendment as follows:

Amend Sec. 2, page 3, line 3, by inserting after "time"
And provided further, That any such allowance unless part of an employe benefit plan or employment contract in effect at the time of retirement or death of the officer, director or employe shall not exceed in total the amount of the compensation paid to him or her during the twelve months preceding retirement or death.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1415, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after Section 719 thereof a new section to read as follows

Section 719.1 Special Hauling Permits for Manufacturers of Certain Vehicles The fee for a special permit to manufacturers of vehicles which are not normally used on the highway of this Commonwealth whose place of manufacture is located within the Commonwealth to operate vehicles or combinations of vehicles on the public highways in accordance with section 905.1 of this act while such vehicle or combination of vehicles is in the course of manufacture shall be five ($5) dollars for each trip or round trip within a radius of ten (10) miles from the place of manufacture For trips or round trips of a distance greater than within a ten (10) mile radius from the place of manufacture an additional fee of two ($2) dollars for each five (5) miles or part thereof of additional radial distance shall be charged

Section 2 Said act is hereby further amended by adding after Section 905 thereof a new section to read as follows

Section 905.1 Permits for Movement of Vehicles in the Process of Being Manufactured (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may in their discretion upon application in writing accompanied by the fee provided in this act issue a special permit in writing authorizing a manufacturer of vehicles or combination of vehicles not normally used on the highways of this Commonwealth to move such vehicles while said vehicles or combination of vehicles are in the course of manufacture and only over highways located entirely within the county within this Commonwealth in which the manufacture of said vehicles or combination of vehicles is conducted and while said vehicles or combination of vehicles are entirely within the control of the manufacturer and not in transit from the manufacturer to a purchaser or dealer Such permits may be issued for a single trip or a series of trips Any such permit shall designate the vehicle for which it is issued the route to be traversed and be subject to such rules regulations restrictions of conditions which shall be deemed necessary by the authority granting the permit The movement of any vehicle requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee When the permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be carried in every vehicle operated thereunder and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any per-

son having collision with or suffering injury from such vehicle

Penalty Any manufacturer operating or moving a vehicle without first having obtained a permit or permits so to do as herein provided shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and cost of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gibson	Markley,	Schuster.
Alexander,	Gleason.	Mathews,	Schwartz,
Amarando,	Glick.	Maxwell.	Scott,
Andrews.	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood.	McCormack,	Shoemaker,
Auker,	Guss,	M· Cullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller.	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Poltenstein,	Wheeler,
Downey,	Kubacki,	Polen,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—1

DuBois

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1441, entitled:

An Act to amend section 820.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting certain vehicles from the requirement to be so constructed or equipped as to bar road surface substances from being thrown from their rear wheels

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HOCKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 63, as follows:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (a) of clause (8) of subsection A

and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any the corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State department commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 646) are hereby further amended to read as follows

Section 1208 Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a saving bank other than a saving bank organized under a special act of the General Assembly shall not make any investments except as follows

* * * * *

(8) (a) Bonds or notes secured by mortgages or deeds of trust which are first liens upon unencumbered improved real property including improved farm land situated within [the Commonwealth or within fifty miles of the boundary thereof] any Commonwealth or State of the United States or the District of Columbia to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages or deeds of trust contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of the principal within the term thereof Provided however That such savings bank while having the entire investment in such a bond or note may subject to like conditions in respect to amortization invest in a bond or note secured by a mortgage or deed of trust or judgment which is a second lien on the same real property if the total invested in both liens does not at any time exceed two-thirds of the actual value of such real property

* * * * *

C A savings bank other than a savings bank organized under special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest in the shares of capital of any corporation whatsoever except [shares]

(1) Shares of a Federal Reserve Bank [and the shares]

(2) Shares of any corporation organized under the laws of this Commonwealth for the purpose of conducting a safe deposit business

[and to the extent of not in excess of ten per centum of the surplus and unallocated reserve of the savings bank not more than ten per centum of the authorized capital stock of any national banking association located within this Commonwealth or of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth]

(3) Preferred stock guaranteed stock and common stock of any other corporation organized under the laws of the United States or of any Commonwealth or state thereof or of the District of Columbia subject to the following conditions

(a) Such purchase shall be made in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(b) In the case of preferred stock the corporation issuing the stock shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year

(c) In the case of guaranteed stock the guaranteeing corporation shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any and fulfilled all of its obligations in respect to dividends on all stock directly or indirectly guaranteed by it if any outstanding during such year

(d) In the case of common stock the corporation issuing the stock shall have earned a net profit in twelve of the sixteen fiscal years next preceding the date of investment as reflected in its statements and during each of such sixteen years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year and in each of at least twelve of such preceding sixteen fiscal years shall have paid dividends in some amount upon all its common stock if any outstanding during such year

(e) In the case of any stock other than guaranteed stock and stock of a bank or insurance company the stock shall be listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

(f) No investment in preferred guaranteed or common stock shall be made by a savings bank if the cost of its holdings of all such stock exceeds or by the making of such investment will exceed an amount equal to five per-centum of the book value of its assets or an amount equal to fifty per centum of its unimpaired surplus unallocated reserves and undivided profits whichever amount is less

(g) No investment authorized by this clause (3) in the preferred guaranteed or common stock of any corporation shall be made by a savings bank if its holdings of the stock of such corporation exceed or by the making of such investment will exceed either (i) at cost one-fifth of one per centum of the book value of the assets of the savings bank or (ii) in number of shares five per centum of the total issued and outstanding shares of the stock of such corporation

(h) No sale or liquidation of any investment shall be required solely because of any event subsequent to the investment as a result of which the requirements of this clause (3) are no longer fulfilled

(i) When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by a savings bank as herein provided by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this clause (3) have been satisfied

(j) "Corporation" as used in this clause (3) shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization existing for any lawful purpose and which like a corporation con-

tinues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

Section 1209 Authorized Investments of Special Charter Savings Banks A A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except [SHARES]

(1) Shares of a Federal Reserve Bank [and the SHARES]

(2) Shares of any corporation organized under the laws of this Commonwealth for the purpose of conducting a safe deposit business

[and to the extent of not in EXCESS of ten percentum of the surplus and unallocated reserve of the savings bank and not more than ten per centum of the authorized capital stock of any national banking association located within this Commonwealth or of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth]

(3) Preferred stock guaranteed stock and common stock of any other corporation organized under the laws of the United States or of any Commonwealth or State thereof or of the District of Columbia subject to the following conditions

(a) Such purchase shall be made in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as probable safety of their capital

(b) In the case of preferred stock the corporation issuing the stock shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year

(c) In the case of guaranteed stock the guaranteeing corporation shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any and fulfilled all of its obligations in respect to dividends on all stock directly or indirectly guaranteed by it if any outstanding during such year

(d) In the case of common stock the corporation issuing the stock shall have earned a net profit in twelve of the sixteen fiscal years next preceding the date of investment as reflected in its statements and during each of such sixteen years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year and in each of at least twelve of such preceding sixteen fiscal years shall have paid dividends in some amount upon all its common stock if any outstanding during such year

(e) In the case of any stock other than guaranted stock and stock of a bank or insurance company the stock shall be listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such lisitng shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

(f) No investment in preferred guaranted or common stock shall be made by a savings bank if the cost of its holdings of all such stock exceeds or by the making of such investment will exceed an amount equal to five per centum of the book value of its assets or an amount equal to fifty per centum of its unimpaired surplus unallocated reserves and undivided profits whichever amount is less

(g) No investment authorized by this clause (3) in the preferred guaranteed or common stock of any corporation shall be made by a savings bank if its holdings of the stock of such corporation exceed or by the making of such investment will exceed either (i) at cost one-fifth of one per centum of the book value of the assets of the savings bank or (ii) in number of shares five per centum of the total issued and outstanding shares of stock of such corporation

(h) No sale or liquidation of any investment shall be required solely because of any event subsequent to the investment as a result of which the requirements of this clause (3) are no longer fulfilled

(i) When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by a savings bank as herein provided by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this clause (3) have been satisfied

(j) "Corporation" as used in this clause (3) shall include a voluntary association a joint-stock association or company a business trust a Masachusetts trust a common-law trust and any other organization existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

B No such savings bank shall purchase or invest in bonds or notes secured by mortgages or deeds of trust of real property except

(1) Bonds or notes secured by mortgages or deeds of trust which are first liens upon unencumbered improved real property including improved farmland situated within [the Commonwealth or within fifty miles of the boundary thereof] any Commonwealth or State of the United States or the District of Columbia to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages or deeds of trust contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within the term thereof Provided however That a savings bank while having the entire investment in such a bond or note may subject to like conditions in respect to amortization invest in a bond or note secured by a mortgage or deed of trust or in a judgment which is a second lien on the same real property if the total invested in both liens does not at any time exceed two-thirds of the actual value of such real property

(2) Bonds or notes secured by mortgages or deeds of trust which are insured by or for which a written commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements

(3) Bonds or notes secured by mortgages or deeds of trust of dwellings for not more than four families and improved farmland guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however That each such loan is guaranteed in an amount equal to at least twenty per centum thereof

(4) Bonds or notes secured by mortgages or deeds of trust of business property guaranteed in whole or in part or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however That the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such busines property

(5) Secondary bonds or notes secured by mortgages or

deeds of trust guaranteed in full or for which a written commitment to so guarantee has been made in accordance with the provisions of section five hundred and five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act and

(6) Bonds or notes secured by mortgages or deeds of trust of real property insured or for which a written commitment to insure has been made in accordance with the provisions of Title On of the "Bankhead-Jones Farm Tenant Act" of the twenty-second day of July one thousand nine hundred and thirty-seven its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act

[B] C Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire for the benefit of the savings bank by the borrower during the term of the bond or note in a company which is authorized to do business where such real property is situated and is approved by the savings bank making the purchase or investment It shall be lawful for a savings bank to renew such policies at the expense of such borrower from year to year or for a longer or shorter period not however exceeding the term of the bond or note in case the borrower shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such borrower In the event that the borrower shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage or deed of trust and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so encumbered All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such borrower In the case of bonds or notes authorized for purchase or investment in subsection [A] B (1) of this section the actual value of the real property shall be the average of written appraisals thereof made after inspection of the property by two reputable persons approved by the board of trustees of the savings bank and familiar with real property values in the vicinity of the property appraised which appraisals shall be filed among the records of the savings bank The restrictions contained in this section with reference to real estate bonds and notes shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such obligations may be secured in whole or in part by a lien upon real property

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, O. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—1

Erb.

NOT VOTING—3

Goodling, Murray, P. G., Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 96 entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I would like to have someone explain the purpose of this bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. McCullough permit himself to be interrogated?

Mr. McCULLOUGH. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I would like to ask Mr. McCullough to explain the bill and its purpose.

Mr. McCULLOUGH. Mr. Speaker, this bill is just the same as the one we passed last session, 208, I think to O, and primarily it is a farm pond bill.

Primarily it is for fire protection, but it also allows me to put fish in it if I so desire, and I and my family and those working on my farm are the only ones that can fish there, another person must have a license.

Mr. FILO. Under the present law another person has to have a license to fish anywhere. Would this bill allow any individual to fish in your pond?

Mr. McCULLOUGH. No, just the same as if I had a blackberry patch, I could go out and pick blackberries, or any kind of fruit, and I can fish in my own pond without a license.

Mr. FILO. Mr. Speaker, in order to shorten the day's work here, I would request that this bill be passed over temporarily.

The SPEAKER. Without objection the chair withdraws its decision as to Senate Bill 96, Printer's No. 334, being agreed to on third reading. The chair hears none.

BILL PASSED OVER

There being no objection

Senate Bill No. 96, Printer's No. 334

was passed over at the request of Mr. FILO.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 199 entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Boards," by making certain changes in the grievance procedure provided for in the act.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1 (1) page 5, lines 5 and 6 by striking out the words; "the state agency or" and inserting in lieu thereof, the word "any"

Amend Section 1 (1), page 5 line 7 by inserting after the word "Complaints," the following:

"If a state agency, board, commission or any of the state's authorities is involved, such agency, board, commission or authority shall take administrative measures to remedy the complaints, if such remedy is within its powers"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 278

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 258 as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Share Certificate" in subsection A of Section two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. Laws 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such association defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

"Share Certificate" means a written instrument [signed by the proper corporate officers as required by this act and] evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

* * * * *

Section 2 Section six hundred seven of said act as last amended by the acts approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) and the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 76) is hereby further amended to read as follows

Section 607 Share Certificates Issuance and Preservation A Every association shall [furnish] make available to each holder of record of an installment optional payment or direct reduction loan share a copy of the by-laws of the association and of all amendments thereto and furnish him with a receipt by passbook or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment optional payment or direct reduction loan share

B Every association shall [furnish] make available to each holder of record of a full-paid share a copy of the by-laws of the association and of all amendments thereto and furnish him with a share certificate upon which the name of the association shall be printed and which shall state (1) That the association is incorporated under the laws of this Commonwealth (2) the name of the registered holder of the share represented thereby (3) the

date of issuance of the shares (4) the type of shares which the certificate represents (5) the number of shares which the certificate represents (6) the par value of each share represented thereby

[C Every share certificate shall be signed by the president or vice president and the secretary or treasurer or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue]

C Full-paid share certificates shall bear printed consecutive numbers and shall be issued either from a bound share certificate book containing a stub for each certificate [Each] or with duplicate pre-numbered copies of the certificates for retention in the association's files When certificates are issued from a bound share certificate book each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall [certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number] sign each full-paid share certificate issued and it shall be sealed with the corporate seal

[E] D Upon a partial withdrawal of full-paid shares the original certificate shall be surrendered to the association for cancellation and a new certificate issued for the unretired balance Upon the complete withdrawal of full-paid shares [and upon payment by the association] the certificate representing such shares shall be surrendered to the association [and preserved by it indefinitely Likewise any] for cancellation Any share certificate which has been cancelled or for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it [indefinitely] for at least seven years

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	**Hoggard,**	Moore,	Thomas,
Breth,	Ide,	**Moran,**	Thompson,
Brown,	Jenkins,	Moscrip,	**Toll,**
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	**Toomey,**
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	**Varallo,**
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	**Vaughan,**
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	**Kent,**	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	**Wargo,**
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	**Pfaff,**	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	**Rovansek,**	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Lovett,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,			

NAYS—0

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideraton of Senate Bill No. 259, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts decorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and C of section three hundred thirteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 574) are hereby further amended to read as follows

Section 313 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation any by-laws regulating the [proportion of the profits of the association or the rate of interest paid to] withdrawal fee that may be charged a withdrawing shareholder or any by-laws authorizing the board of directors without action by the shareholders of the association to approve a plan of merger Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

* * * * *

C Immediately upon the adoption of the by-laws or any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall within ninety days after receipt thereof have the power to disapprove for any reasonable cause stated in writing any such by-law or any such alteration amendment or repeal thereof but such by-law amendment or repeal shall be effective until the department actually disapproves it and gives notice thereof to the association The association may in the event of such disapproval within sixty days from the receipt of notice thereof appeal from such disapproval to the Building and Loan Board who shall hear such appeal promptly and shall within thirty days after such hearing decide the matter and certify its decision to the Department of Banking The decision of the Building and Loan Board shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 2 Section five hundred four of said act as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 76) is hereby further amended to read as follows

Section 504 [Shareholders May] Number of Votes Right to Vote in Person or by Proxy Except as otherwise specifically provided in this act every shareholder of record borrowing member or obligor of an association shall have the right at every shareholders' meeting to one vote In addition thereto any shareholder of record shall have as many more votes as he may have shares in excess of the par value of one share standing in his name on the books of the association In calculating such additional votes no fractional units of less than full par value shall be counted nor shall fractional voting be permitted Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the association [No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest] A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 3 Section six hundred four of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby amended to read as follows

Section 604 Membership or Withdrawal Fees Other Charges An association shall not levy upon any shareholder or upon any corporation or person intending to become a shareholder any fee or any other charge not specifically permitted by this act

An association may levy upon any holder of installment shares or upon any corporation or person intending to become a holder of installment shares a membership fee which shall not exceed one-eighth of one per centum of the par value of each installment share subscribed to by such shareholder corporation or person All membership fees so paid shall be credited to the general profit account of the association and shall not be credited as dues in the passbook or other receipt issued to the shareholder Upon the voluntary withdrawal before maturity of installment shares an association may charge such withdrawal fee as the by-laws may provide Any withdrawal fee shall be expressed in the by-laws in terms of a percentage of the participation value of the installment shares withdrawn

Section 4 Section six hundred eight of said act is hereby amended to read as follows

Section 608 Shares Held in Name of Minor Any association may issue shares in the name of any minor not less than [sixteen] twelve years of age and shall pay the dividends or earnings thereon as well as the withdrawal or maturity value of such shares to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the association to be taken by the minor shall be binding upon such minor with like effect is if such minor were of full age and shall be a valid release to the association The parent or guardian of such a minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any shares issued to or in the name of such minor

Section 5 Subsection B of Section six hundred thirteen of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 613 Involuntary Withdrawal of Optional Payment or Installment Shares

* * * * *

B The association shall pay [on each] to the shareholder whose installment or optional payment share is thus involuntarily withdrawn the full amount of the [dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association credited to such share] participation value of such share less any indebtedness or charges due by him

Section 6 Subsection A of Section six hundred seventeen of said act as last amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues on installment shares or dues interest [or] and premiums on a share-mortgage loan but a fine shall not exceed one per centum of the amount of the dues interest or premiums which are in arrears for the period during which they have been in such arrears Such fines may be deducted from or charged against the [earnings of the association properly apportionable to] participation value of the shares in the association on account of which such defaults are made but fines for a longer period than six months shall not under any circumstances be deducted from or charged against [the dues paid by the shareholders upon] such shares

* * * * *

Section 7 Subsections B and C of Section six hundred eighteen of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) are hereby further amended to read as follows

Section 618 Dividends on Shares Undivided Profits

* * * * *

B [An association may retain earnings in an undivided profit account to be used] Any surplus net income or other available earnings which remain after reserve and divi-

dend requirements have been met may at the discretion of the board of directors [for the purpose of paying additional dividends] be retained in an undivided profit account Provided That the total undivided profits on hand at any one time shall not exceed ten per centum of the participation value of all outstanding shares of the association

C The books of each association shall be closed at least annually and as much oftener as the board of directors may determine and the net profits for the period determined and transferred to the undivided profit account Dividends shall be declared on all types of shares at the same date and at least annually by resolution of the board of directors out of the undivided profits after appropriate transfers to the reserve for contingent losses or the reserve for bad debts For the purpose of maturing installment shares special dividends may be declared between regular dividend dates to installment shares nearly matured and special dividends may also be declared between regular dividend dates to installment optional payment and full-paid shares in the case of withdrawal between dividend dates Such special dividends shall not be declared unless justified by the earnings for the current period and shall not in any event exceed the rate of the last regular dividend on the same type of shares

Section 8 Section six hundred twenty of said act as last amended by the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 523) is hereby further amended to read as follows

Section 620 Reserve for Contingent Losses Reserve for Bad Debts Every association shall set aside each year not less than five per centum and [not more than twenty-five per centum] as much more as may be deemed desirable of its net profits for such year [unless the department in writing approves the setting aside of a lesser or greater amount] as a reserve for contingent losses until the total amount of such reserve shall equal at least [five] ten per centum [and not more than twenty per centum] of the assets of such association [unless the department in writing approves the creation of a total reserve of a lesser or a greater amount The] Every association may also maintain a reserve for bad debts Provided however That no profits shall be set aside to the reserve for contingent losses or the reserve for bad debts if the aggregate of those reserves exceeds twenty per centum of the assets of the association unless the department [may at any time] in writing shall authorize or require [any] the association to set aside [such] an additional amount [as] which the department shall deem desirable or necessary to safe guard the interests of the shareholders of such association Such reserve for contingent losses and reserve for bad debts may be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association

If due to a reduction of the assets of an association or due to any other cause whatsoever the aggregate of the reserve for contingent losses and the reserve for bad debts shall exceed twenty per centum of the assets of the association or if the department has authorized or directed the creation of [a reserve for contingent losses] such reserves in excess of [such] twenty per centum and [such reserve exceeds such] they exceed the amount authorized or directed by the department the amount above [such] twenty per centum or such other amount as has been authorized or directed by the department [shall] may be transferred at the next regular meeting of the board of directors to the general profit account of the association

Section 9 Section nine hundred eight of said act as amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 908 Foreclosure on Mortgage for Non-Payment of Dues Interest Premiums or Fines In the case of a default in the payment of dues interest premiums or fines due on a mortgage loan an association if there be no other default shall not have the power to enforce payment of the principal of such loan by legal proceedings unless the total arrearages are equivalent to at least [four] two contracted monthly payments

Section 10 Subsection E of Section twelve hundred one of said act is hereby amended to read as follows

Section 1201 Books Records and Accounts of Association Reports Prohibitions Penalty

* * * * *

E An association shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entries for a period of seven years from the date of making the last entry on the same Provided however That this provision shall not be construed to prevent the destruction of such records after two years if the association has caused the same to be recorded copied or reproduced by any photographic photostatic micro-film or similar process and retains such records in that form Any photographic or micro-filmed reproduction or photostatic copy of such records shall be admissible in evidence in any proceeding equally and with the same force and effect as the original record

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le R.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyl	Kohl,	Pettigrew,	Weidner,
Fairwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Goodling, Murray, P. G., Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 260, as follows:

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" is hereby amended to read as follows

Section 1 Any federal savings and loan association existing under an Act of Congress approved June 13 1933 known as the Home Owners' Loan Act of 1933 its amendments and supplements may issue share accounts in the name of any minor not less than [sixteen] twelve years of age and shall pay the dividends thereon as well as the [repurchase] withdrawal value of such share accounts to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the federal savings and loan association to be taken by the minor shall be binding upon such minor with like effect as if such minor were of full age and shall be a valid release to the federal savings and loan association The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any share accoun' issued to or in the name of such minor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Capano,	Jones, Gran'le E.,	Musto,	Varner,
Cianfrani,	Jones, Paul F.,	Naugle,	VanSant,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Worley,
Ferster,	Light,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,			

NAYS—0

NOT VOTING—3

Goodling, Murray, P. G., Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 282, as follows:

An Act to further amend Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligence operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by limiting the use of tractors of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L.

1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1996) is hereby further amended to read as follows

Section 607 Sizes of Vehicles and Load

(a) No tractor except street sweeper road grader and the snow removal equipment shall exceed a total maximum with including any load thereon of one hundred and ten (110) inches

(c) No tractor except fire department equipment shall exceed a total maximum length including load thereon of three hundred and ninety-six (396) inches and no combination of vehicles coupled together shall exceed a total maximum length of seventy (70) feet

1 No tractor of the second class shall be operated upon any highway drawing or having attached thereto more than one (1) other vehicle

2 The draw-bar or other connection between a tractor or other vehicle shall not exceed fifteen (15) feet in length from tractor to the other vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches both in length and width

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Gramlich,	Maxwell,	Scott,
Andrews,	Greenwood,	McCann,	Shoemaker,
Banker,	Guss,	McCormack,	Smith, W. B.,
Barkdoll,	Gutendorf,	McCullough,	Snider,
Baumunk,	Guthrie,	McGee,	Spencer,
Bazin,	Hall,	McInroy,	Stank,
Bear,	Hamilton, R. K.,	McWherter,	Stevenson,
Blair,	Hamilton, W. H.,	Metz,	Stimmel,
Boles,	Harris,	Mihm,	Stone,
Bolton,	Haudenshield,	Mikula,	Stoner,
Bomberger,	Helm,	Miller,	Strausser,
Boory,	Hersch,	Mills,	Sucher,
Bower,	Hewitt,	Monroe,	Taylor,
Breisch,	Hocker,	Moody,	Thomas,
Breth,	Hoggard,	Moore,	Thompson,
Brown,	Ide,	Moran,	Toll,
Bucchin,	Jenkins,	Moscrip,	Tompkins,
Buchanan,	Jim,	Muldowney,	Toomey,
Bullen,	Johnson,	Munley,	VanSant,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Granle E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Fenrich,	Leisey,	Ragot,	Wilt,
Ferster,	Leonard,	Readinger,	Wood,
Filo,	Leven,	Reagan,	Worley,
Flack,	Light,	Reidenbach,	Yeakel,
Fleischman,	Limper,	Richter,	Yetzer,
Floyd,	Lippincott,	Rosen,	Young,
Flynn,	Lovett,	Royer,	Zeitz,
Frost,	Lutty,	Rubin,	Ziegler,
Geer,	Maguire,	Sarraf,	Smith, C. C., Speaker
Gibson,	Mahan,	Schmidt,	

NAYS—9

Ashton,	Farabaugh,	McDermit,	Seyler,
Auker,	Lopresti,	Rovansek,	Shotwell,
DuBois,			

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 326, Printer's No. 94

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 359, as follows:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners in certain counties of the eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" as amended by the act approved the eleventh day of October one thousand nine hundred fifty-one (P. L. 1706) is hereby further amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the eighth class shall be as follows

(a) The sheriff in counties having a population of less than twelve thousand (12,000) two thousand two hundred dollars ($2,200) and in counties having a population of twelve thousand (12,000) and more but less than twenty thousand (20,000) two thousand eight hundred dollars ($2,800)

(b) The county commissioners in counties having a population of less than twelve thousand (12,000) one thousand five hundred dollars ($1500) each and in counties having a population of twelve thousand (12,000) and more two thousand dollars ($2000) each

(c) The district attorney in counties having a popula-

tion of less than twelve thousand (12,000) one thousand two hundred dollars ($1,200) and in counties having a population of twelve thousand (12,000) and more but less than twenty thousand (20,000) one thousand eight hundred dollars ($1,800)

(d) The county auditors shall each receive ten dollars ($10) for each day necessarily employed in the discharge of their duties

(e) The jury commissioners shall each receive seven dollars and fifty cents ($7.50) for each day necessarily employed in the discharge of their duties The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employes

Section 2 The provisions of this amending act shall become effective immediately upon final enactment and shall be applicable to all pertinent county officers who shall be elected or appointed after the effective date of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Johnson,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 471, Printer's No. 160,

was passed over at the request of Mr. EWING.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 489, as follows:

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended in part by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1195) is hereby further amended to read as follows

Section 1330 Exceptions to Compulsory Attendance The provisions of this act requiring regular attendance shall not apply to any child who

(1) Has attained the age of sixteen (16) years and who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session and who holds an employment certificate issued according to law

(2) Has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner and has been found to be unable to profit from further public school attendance and who has been reported to the board of school directors and excused in accordance with regulations prescribed by the State Council of Education

(3) Has attained the age of fifteen (15) years and is engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's residence in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe

(4) Has attained the age of fourteen (14) years and is engaged in farm work on a farm on which has parents live or in domestic service on a farm [in a private home] in the home of his parents on a permit issued [as provided in clause (3) of this section] by the school board or the designated official of the school district of the child's residence and who has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides if the issuance of such a permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and [the reason therefor] has been approved by the Superintendent of Public Instruction

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile resides two miles or more by the nearest public highway from any public school in session and no proper free transportation is furnished to such child to and from school

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, is there anybody in the Hall of the House who can adequately explain what this bill does?

Mr. SEYLER. Mr. Speaker, this bill deals with the attendance of students in the public schools, and makes two changes in the present provisions of the law.

At the present time, under the law as it stands now, children of the age of 14 years may be released from school to work on a farm—and that means the farm of anyone, or in domestic service,—and that means in anybody's home,—provided it has the approval of the principal of the school, the County Superintendent or the District Superintendent, and the Superintendent of Public Instruction.

The change that is made in the law would be as follows:

It would say that a child of 14 may only be released to work on his own farm, or in the case of a girl, in domestic service in her own home on a farm, and the approval of the following persons would be needed, the principal of the school, the Superintendent of the County or of the District, and instead of the Superintendent of Public Instruction, the school board of the district.

Now you all know that this bill has been called the Amish bill.

The Amish are a group of people who long ago left the old country, mostly Germany, because they wished to escape from certain provisions imposed on them by the government of that country which were opposed to their religious beliefs, and to this day, these people, very sincere, God-fearing people, have maintained many of their ancient customs for religious reasons.

They endure a great deal of ridicule for the sake of their religious beliefs. The garments they wear are different. They, in many cases, do not believe in combatant service in the armed forces, and our federal government has seen fit to excuse them from combatant service. They do not take oaths, but affirm rather, and our government has seen fit to make provisions in that respect, so that their religious beliefs would not be violated.

Under the present law, they have not been able to carry out one of their religious beliefs, namely, that their boys and girls should cease their secular instruction at about the age of 14. Their religion is a very unworldly one. They do not believe in things of the world, and that accounts for many of their customs. They do not believe, therefore, in worldly education. This does not mean that their education ceases. Any of you who visit Lancaster County, or any of the counties in which the plain people, not only the Amish sect, but other plain sects live, will find that those people are as fine farmers as you will find in this great Commonwealth. The education of their children does not cease, but their education is not along the lines which they consider worldly, and for that reason they have come asking for this relief.

I believe that it is part of the principle of our government not to force things upon people unnecessarily which violate their religious beliefs, and it seems to me that we would be well-advised to make this decision for these sincere, God-fearing people, who are some of the finest citizens of our Commonwealth.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from York.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. SEYLER. I shall, Mr. Speaker.

Mr. READINGER. Does the gentleman not believe that we might be establishing a bad precedent if we pass this bill? Does he not believe that other sects, also worthy people, in the future will be coming along asking for the same thing?

Mr. SEYLER. Will the gentleman state what things they might be asking for. I know of no other sects that want any of this sort of concession. If you should be specific I might be able to answer, but I do not understand what you mean.

Mr. READINGER. Mr. Speaker, I cannot be specific because I do not know of any other religious sects at the present time that might desire its children to stop their public education at the age of 14.

But it is quite conceivable that in the future, perhaps the Seventh Day Adventists, or some other organization of that nature with their own particular religious belief, will ask this same privilege. How will we refuse them?

Mr. SEYLER. Mr. Speaker, I would answer the gentleman this way. Certainly in one of the greatest crises that our government faces in time of war, if our federal government has seen fit in a critical time of that sort to say to these people, "We are willing to excuse you from the most important service that most of us can render to our government, namely, serving as combatants in our army," if our government feels that even in that time of great crisis they do not need to force these people to violate their religious beliefs, it seems to me that the Commonwealth of Pennsylvania can very well in a case of this religious group make this concession that they are asking for in the matter of education.

Mr. SARRAF. Mr. Speaker, I desire to interrogate the gentleman from York.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. SEYLER. I shall, Mr. Speaker.

Mr. SARRAF. Mr. Speaker, does this only apply to this group of people that Mr. Seyler speaks of?

Mr. SEYLER. Mr. Speaker, it is impossible, as the gentleman probably will realize as he thinks it over, to pass class legislation. So obviously there cannot be a law which only applies to the Amish.

However, I would say this to the gentleman. That this bill tightens up the present law insofar as attendance is concerned. For this reason under the present law a child may be excused at 14, and children every year are being excused at the age of 14 to work on a farm, on anybody's farm. Children are being excused to enter into domestic

service at the age of 14, being excused from school to work in anybody's home.

This bill specifically states that children may only be excused to work on their own farm or in their own homes.

Therefore from the standpoint of attendance that does not make the law more lax, it tightens the law.

Mr. SARRAF. Mr. Speaker, if this tightens the law as Mr. Seyler says, yet produces an outlet for our poorer people wherein they may take advantage of this law with a claim of needing or utilizing their child at 14, does he feel maybe that the more needy type in congested areas throughout the state may use this as a means of withdrawing the child and ceasing his education early in life, thinking in their own mind that they are doing the best for the child?

Mr. SEYLER. Mr. Speaker, I would answer the gentleman by saying that under the laws that exist at present, that can be done. Not only can that be done, but the child can be put into domestic service in someone else's home for wages, or the child can be put to work on someone else's farm for wages, which will not be possible under the law amended by this bill. That is why I say this bill tightens the law in the respect that the gentleman refers to rather than making it more lax.

Mr. SARRAF. If these provisions are already in the law and this law does not do any more, does not broaden the law, what is the need for this law? I would like the gentleman to be more precise.

Mr. SEYLER. Mr. Speaker, at present the essential difference, in addition to tightening the law so that it will be actually less lax in regard to attendance, the bill changes the law in this respect, at the present time in order to be excused from school on the application of a parent, it must have the approval of the principal, the superintendent of the schools, either of the county or of the district, depending upon whether they have a district superinendent, and the Superintendent of Public Instruction. Now that is where the rub comes.

The Amish, I did not care to discuss this particularly, and I am not making a criticism of the Superintendent of Public Instruction, but the local authorities have come to Harrisburg with these cases and have not received the approval of the Superinendent of Public Instruction.

Now the change made in the bill is this. From now on they will have to have the principal and the Superintendent of schools the same as they had before, but instead of the Department of Public Instruction's approval, it will require the approval of the school board, the board of school directors of the district in which the application is made.

Those people in the Amish areas will, of course, be acquainted with the Amish religion and with the case of the Amish and I presume the Amish feel in asking for this bill that they will be more successful in pleading their case at that point than they will by bringing it up here to Harrisburg.

Mr. ANDREWS. Mr. Speaker, the gentleman from York has made out a good case for any agricultural group anywhere in the state of Pennsylvania, Amish or not, that may desire to take their children out of school at the age of 14, because the school board selects the principal, and the school board is the final factor in the situation. If a rural school board and its principal get together—and the principal will be inclined to follow the school board—any rural group could say to our compulsory education system, that it is all wet, we do not believe in education. We are going to take our children out of school at 14, put them on the farm.

Now either our compulsory system of education in this Commonwealth is sound, either the Commonwealth has a constitutional obligation to equalize educational opportunities, or it does not have.

We conclude that the Commonwealth's business is to aim to equalize educational opportunities and they do not ask me whether I am an atheist or an Amish, or what I am. My business as a citizen is to recognize the constitutional requirement and cooperate to the end that educational opportunities shall be equalized.

This is a bad bill.

Mr. SEYLER. Mr. Speaker, I would reply to the gentleman that I am in favor of compulsory education. I do not believe that the age should be lowered. However, I would also point out to him that there are provisions in the law at the present time for releasing children for due and good reasons from our system of compulsory education. And any system which is so compulsory that it does not recognize individual cases is too compulsory; it is arbitrary.

At the present time in the Commonwealth of Pennsylvania boys and girls are being excused from schools for good and due reasons. These people, I believe, have a good reason.

I would further point out to the gentleman that concessions are made on the basis of religion in the Commonwealth of Pennsylvania and in our country generally, and I think this is only right. Now, the Amish do not have parochial schools. They would have a right to, but they do not believe in secular education after the age of 14. I think a similar concession such as is made in the case of other religious groups can very well be made for this group. After all, these people have suffered persecution for a long time. They fled from other countries to escape the arbitrary uniformity of government which would force them to conform to things in which they did not believe. So, I would simply plead to give these people the same kind of consideration that we are granting in other cases.

Mr. PRICE. Mr. Speaker, there seems to be a lot of confusion relative to this piece of legislation. As a matter of fact, it is only a correctve amendment to clarify a situation which has existed, particularly in Lancaster County. If you recall two years ago, we had practically the same bill up here which passed the House and Senate and was vetoed by the Governor because of the fact that there was some clarification that the Department of Public Instruction did not concur in.

It is my understanding that the Department of Public Instruction has concurred in these amendments. I might say that there is a redress to the Department of Public Instruction on this bill. Under the present law, Section 1330, any child 14 years of age who has completed the elementary schools in the district in which he lives may be granted a work permit on a farm or domestic work, if the permit is authorized by the local school board and approved by the Department of Public Instruction under their regulations.

This bill amends that, as Mr. Seyler has said, that the individual boy or girl who has reached the age of 14 and

has completed the elementary school, can be give a permit to work only on the farm or in the home of his or her parents. And it is subject to the authorization of not only the school board, but the local school official in that particular county, and then be approved by the Department of Public Instruction. That was put in there because of the fact that there may be some cases in which people feel that the Amish have complete control of the school board, and they could run things as they want to; but this permit can be issued and then it is approved by the Superintendent of Public Instruction.

It is my understanding that the Department has approved this piece of legislation as amended, and I would ask that the House support it, because I think it is a correctional piece of legislation, which will solve a problem that has been long-enduring and concerning much action against the Department of Public Instruction.

Mr. PAUL F. JONES. Mr. Speaker, the gentleman from Mifflin has answered the question that was in my mind. I was of the opinion that rather than put the stress on the question of age, the stress should be put on the basic education that a child has.

I can see no basic difference between a law that would permit them to take them out at 12 or at 14. Essentially there is no difference. I take this position, I feel that ignorance is a curse to any people, and that the Amish as a group are no exception. What we are doing basically in effect here today is declaring that it is the public policy of the Commonwealth of Pennsylvania that a child can be taken out of school at the age of 14. And stripped of all other questions, religious and otherwise, that is what it amounts to. I regard it as a backward step.

I can sympathize with the beliefs of the Amish people. By the same token, I can see where another group when once this is the law that is applicable to all people, regardless of their religious belief—I can see situations where it will be taken advantage of.

Just imagine for a moment a person who has stepchildren, who might be incorrigible, who do not get along too well in school. Just for the purpose of taking them out at 14 years of age, we have a law on our books—they can take them out and keep them working at home. That is exploiting that child, whereas, if we keep the law as it is, we at least have the safeguard of making them get an education and preparing them for a place in life for which otherwise they would not be prepared.

I think in principle this is a bad piece of legislation. I do not think we ought to amend the law to suit the Amish, the Seventh Day Adventists, or any other group. I think we ought to make laws here that will be applicable to all. And as I see it, in principle it is a backward step.

Mr. AUKER. Mr. Speaker, I would like to correct the gentleman from Pittsburgh, Allegheny County, Mr. Jones, that the word is pronounced "Amish" (a as in arm) not "Ammish."

Second, that in my legislative career I have listened off and on to various statements, arguments and remarks of the gentleman from Cambria, Mr. Andrews, the Minority Floor Leader, in his long legislative career he has at last convinced me that he is right on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—74

Ashton,	Gutendorf,	Mathews,	Stevenson,
Barkdoll,	Guthrie,	McCullough,	Stoner,
Baumunk,	Hall,	McWherter,	Strauser,
Bear,	Hamilton, W. H.,	Miller,	Tompkins,
Bolton,	Haudenshield,	Moore,	Toomey,
Bomberger,	Helm,	Ogilvie,	Varner,
Bullen,	Hewitt,	Phillips,	Vaughan,
Clapper,	Johnson,	Price,	Wallace,
Connelly,	Jones, Geo. E.,	Quisenberry,	Whalley,
DuBois,	Jump,	Ragot,	Whitenight,
Erb,	Kent,	Reagan,	Willaredt,
Ewing,	Kerlin,	Rovansek,	Wilt,
Farabaugh,	Kohl,	Royer,	Wood,
Ferster,	Kratz,	Rubin,	Worley,
Frost,	Kromer,	Scott,	Yetzer,
Geer,	Lafore,	Seyler,	Young,
Gibson,	Leisey,	Shoemaker,	Ziegler,
Greenwood,	Light,	Spencer,	Smith, C. C., Speaker
Guss,	Mahan,		

NAYS—95

Alexander,	Fenrich,	Lippincott,	Poltenstein,
Amarando,	Filo,	Lopresti,	Readinger,
Andrews,	Fleischman,	Lovett,	Reidenbach,
Auker,	Floyd,	Maguire,	Sarraf,
Banker,	Flynn,	Markley,	Schwartz,
Bazin,	Gleason,	Maxwell,	Snider,
Blair,	Glick,	McCann,	Stank,
Boory,	Gramlich,	McCormack,	Stimmel,
Bower,	Harris,	McDermit,	Sucher,
Breisch,	Hersch,	McGee,	Taylor,
Breth,	Hocker,	McInroy,	Thomas,
Bucchin,	Hoggard,	Mikula,	Toll,
Buchanan,	Ide,	Mills,	VanSant,
Capano,	Jim,	Moody,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Moran,	Wall,
Comer,	Jones, Paul F.,	Moscrip,	Walsh,
Conner,	Jones, T. H. W.,	Munley,	Wargo,
Coyle,	Kamyk,	Musto,	Weidner,
Curwood,	Keller,	Needham,	Welsh,
Davis,	Kolankiewicz,	Parlante,	White,
Dougherty,	Kubacki,	Petrosky,	Williams,
Down,	Lederer,	Pfaff,	Yeakel,
Downey,	Leven,	Polaski,	Zeitz,
Dunn,	Limper,	Polen,	

NOT VOTING—38

Adam,	Kline,	Naugle,	Shotwell,
Boles,	Kornick,	Olsen,	Smith, W. B.,
Brown,	Leonard,	Peifly,	Stone,
Cioffi,	Lutty,	Peta,	Thompson,
Cochran,	Metz,	Pettigrew,	Verona,
Cooper,	Mihm,	Richter,	Waterhouse,
Flack,	Monroe,	Rosen,	Watkins,
Goodling,	Muldowney,	Schmidt,	Wescott,
Hamilton, R. K.,	Murray, J. J.,	Schuster,	Wheeler,
Jenkins,	Murray, P. G.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 528 entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring pemits and home-wokers' certificates and prescribing the fees therefor confering powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

On the question,

Will the House agree to the bill on third reading?

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2, Page 3 by striking out lines 18 and 19

Amend Section 2, Page 4 by striking out lines 1 to 11, inclusive

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 543, as follows:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the annexation of territory in a second class township to a borough city or township is desired a majority of the freeholders in the proposed annexed territory shall petition the borough city or township requesting the annexation the determination of the required number of petitioners shall be made as of the date of the petition is presented to the borough or city The petition shall be accompanies by a fee of one hundred fifty dollars ($150) and shall be approved or disapproved by ordinance of said borough city or township The said sum shall be applied to tre purpose expressed in Section 8 hereof and shall be returned to the petitioners if found unnecessary for the purpose

A copy of the petition without the signatures shall be filed with the supervisors of the township concerned prior to its presentation to the city borough or township and a certification of such filing shall be signed by at least one signer of the petition and be attached to the petition when presented to the city borough or township

A majority in interest of owners of undivided interests in any piece of property shall be deemed and treated as one person for the purpose of ascertaining the number of petitioners

Section 2 The petition after its approval by council commissioners or supervisors shall be certified to the court of quarter sessions by the secretary of the borough or township or clerk of the city If within thirty days thereafter no person aggrieved by the ordinance complains to the court asking for the appointment of a board of commissioners as a fact finding body the court shall determine the question and if it is satisfied as to the legality of the proceeding and the propriety of the annexation as serving public interest shall affirm the annexation

Section 3 If within thirty days after the ordinance has been certified to the court any person aggrieved by the ordinance shall complain to the court asking for the appointment of a board of commissioners as a fact finding body the court if satisfied with the legality of the proceeding and the propriety of the annexation as serving public interest shall appoint a board of thre commissioners to make a study of the facts in the matter No person shall be appointed as a member of the board who is a resident or taxpayer of the borough or city or of the township affected by the proposed annexation or who has a substantial interest in the proceeding financial or otherwise

Section 4 Within sixty days after its appointment the board shall inquire into and make findings of fact as to (1) the relative advantages and disadvantages to the borough city or township and the township affected by the annexation (2) the assessed valuation of the township the assessed valuation of the territory to be annuexed and how the annexation would affect the remainder of the territory (3) the township indebtedness (4) the value of all public improvements including but not limited to roads buildings and swers in the territory to be annexed and the indebtednes chargeable thereto (5) the future plan of the entire area and (6) any other matters directed by the court

Section 5 The court shall consider the findings of the board together with any facts that may be submitted to it and shall make an order either dismissing the proceedings or affirming the annexation

Section 6 The annexation if affirmed by the court shall become effective as of the date of approval by the court if that date is two months or more prior to the date of the next election or primary If the date of approval by the court is less than two months prior to the date of the next election or primary then the annexation shall take effect immediately after the election or primary

Section 7 If the court shall affirm the annexation it shall adjust the indebtedness as provided by law Taxes levied prior to the effective date of the annexation shall be paid to the township where levied and the collection and enforcement shall be as though the land had not been annexed

Section 8 The members of the commission shall be compensated to the extent of fifty dollars ($50) each which shall be deposited in said court by the borough city or township

Section 9 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,

Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 563, as follows:

An Act to further amend the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" by imposing duties on the city controller and allowing appeals from audits or settlement of accounts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" is hereby amended by adding immediately following Section 9 thereof a new section to read as follows

Section 9.1 The city controller shall make annual reports to council on the first Monday of March and oftener if so required by council of the audits which he shall have made of the accounts of the officers having charge custody control and disbursements of public moneys showing balance in their hands respectively at the end of the fiscal year and at the same time shall file a copy of the said annual report with the prothonotary of the court of common pleas It shall be lawful for the city or any taxpayer thereof on its behalf or any officer whose account is settled or audited to appeal from the settlement or audit to the court of common pleas of the county within forty-five days after the said annual report to council has been filed in the court of common pleas If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision shall not be obtained more favorable to the party on whose behalf the appeal shall be taken than that contained in the said report.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 589, as follows:

An Act to further amend Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" by increasing fees to be charged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second lass" as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 798) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the fees to be received and charged by coroners in counties of the second class in lieu of those now allowed by law shall be as follows viz

Viewing a dead body twelve dollars ($12.00)

Summoning inquest and returning inquisition six dollars ($6.00)

Summoning or subpoenaing each witness [one dollar and fifty cents ($1.50)] two dollars and fifty cents ($2.50)

Qualifying each witness [one dollar ($1.00] one dollar and fifty cents ($1.50)

Each mile circular traveled to be reckoned from the court house to the place of viewing the body ten cents

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Aukel,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,			

NAYS—0

NOT VOTING—3

Goodling, Murray, P. G., Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 597, as follows:

An Act to further amend the act approved the twenty-eight day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by extending the benefits to certain authorities created by such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" as amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 614) is hereby further amended to read as follows

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions which shall include all persons employed in any capacity by or holding position in an authority created by said cities except where such authority has in effect its own pension or retirement plan maintained without reference to the provisions of this act in which case such authority's pension or retirement plan shall be exclusive and such authority's employes shall not be entitled to any rights under this act and the words "city" or "cities" as used in sections three four five six seven eight ten eleven twelve and fourteen of this act shall be construed to mean "authority" or "authorities" so created where appropriate Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act

For the purposes of this act the solicitor and all employes of the office of the solicitor for delinquent real estate tax and water rate liens provided for by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) shall be regarded as persons employed by or holding positions in the cities included in the provisions of this act to the extent that they may if they so desire avail themselves of the benefits of the act to which this is an amendment by paying to the board of pensions monthly the amount provided for by said act

Section 2 Said act is hereby amended by adding after Section 14 thereof a new section to read as follows

Section 15 Every authority the employes of which are members of the pension fund as hereinabove provided for shall pay annually to the board of pensions an amount sufficient to reimburse the board of pensions for the amount of benefits paid employes of such authority as provided for by the act of which this amendment is a part after receiving credit for all contributions made to

the pension fund by employes of such authority during such annual period Provided however That where an employe of any authority formerly worked for the city creating the authority the annual pension requirement or other benefits shall be prorated on the basis that the number of years such employe worked for the authority bears to total years of service in city and authority employment and the authority shall reimburse the board of pensions for that proportionate part of the pension or other benefits paid which the authority service bears to the total and the balance of annual pension requirements or other benefits shall be paid by such cities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, W. H.,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Goodling,	Murray, P. G.,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of Senate Bill No. 327, as follows:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty--nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative department boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other asistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making the Pennsylvania Historical and Museum Commission a departmental administrative commission in the Department of Public Instruction and prescribing its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and

Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission Pennsylvania Fish Commission State Civil Service Commission and Pennsylvania Public Utility Commission [and the Pennsylvania Historical and Museum Commission]

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 As much as applies to the Department of Public Instruction of Section 202 of said act as last amended by the acts approved the twenty-second day of May one thousand nine hundred fifty-one (P. L. 323) the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 353) the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1144) and the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1245) is hereby reenacted and further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Nurse Examiners
State Board of Barber Examiners
State Board of Cosmetology
State Board of Veterinary Medical Examiners
State Board of Chiropractic Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
State Registration Board for Professional Engineers
Public Service Institute Board
State Board of Private Academic Schools
State Board of Private Business Schools
State Board of Private Trade Schools
State Board of Private Correspondence Schools
Pennsylvania Historical and Museum Commissions

Section 3 Section 304 of said act is hereby repealed

Section 4 Article IV of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 463 Pennsylvania Historical and Museum Commission The Pennsylvania Historical and Museum Commission shall consist of the Superintendent of Public Instruction ex officio nine citizens of the Commonwealth and four members of the General Assembly two from the Senate and two from the House of Representatives The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership One of the members of the commission shall be designated by the Governor to serve as chairman of the commission The commission shall appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor any one who has served as a member thereof within one year shall be eligible for appointment as executive director

Six members of the commission who are not members of the General Assembly shall constitute a quorum

The present members of the Pennsylvania Historical and Museum Commission shall be members of the Pennsylvania Historical and Museum Commission hereby established and shall hold their offices until their successors are appointed and qualified

The members of the General Assembly shall be appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 5 Article XIII of said act is hereby amended by adding at the end thereof two new sections to read as follows

Section 1314 Pennsylvania Historical and Museum Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical and Museum Commission shall have the power and its duties shall be

(a) To exercise the powers and perform the duties heretofore by law vested in and imposed upon the former Pennsylvania Historical Commission the Pennsylvania Historical and Museum Commission and any officer or member thereof and to serve as the official agency of the Commonwealth for the conservation of Pennsylvania's historic heritage and the preservation of public records historic documents and objects of historic interest Any power or duty heretofore vested in or imposed upon the chairman of the Pennsylvania Historical Commission is herein vested in and imposed upon the chairman of this commission and any power or duty heretofore vested in or imposed upon the Secretary of the Pennsylvania Historical Commission is herein vested in and imposed upon the executive director of this commission

(b) To exercise the powers and perform the duties heretofore by law vested in the State Museum or the Director of the Museum or in the State Library and Museum or the Department of Public Instruction in so far as such powers or duties relate to the museum or to the functions of the museum or to the powers or to the duties or functions set forth in this section

(c) Upon its own initiative or upon petition of municipalities or historical societies to mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and with the consent of the State or county having jurisdiction thereof places or buildings outside of this Com-

monwealth having to do with its history and to arrange for the care or maintenance of such markers or monuments

(d) To undertake within the means at its command the preservation or restoration of ancient or historical public buildings military works or monuments connected with the history of Pennsylvania and for this purpose to contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works or monuments as a consideration for assistance in their erection restoration preservation or marking by the commission

(e) To transmit to the Department of Property and Supplies for publication or republication matters of historical or archeological interest and to cooperate with said department in compiling heading printing and distributing such publications

(f) Upon its own initiative or in cooperation with reputable societies or organizations to conduct investigations upon historical or archeological matters relative to Pennsylvania and report the same for public information

(g) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public and at its discretion to charge admission fees to historical buildings such fees to be paid into the State Treasury through the Department of Revenue and credited to the Historical Preservation Fund

(h) To receive for and on behalf of the Commonwealth gifts or bequests of relics or other articles of historical interest which shall be deposited in the State Museum or at the discretion of the commission in or on historic properties or shrines committed to its custody

(i) To accept for the Commonwealth gifts and bequests of or securities for the endowment of its work in accordance with the instructions of the donors and in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the commission constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and to employ the interest and income from such investments for the purpose of the commission or to apply the same to such uses as may have been specified by the respective donors of such funds

(j) To approve or disapprove the design and proposed location of all historical monuments memorials buildings tablets and inscriptions and to cooperate in the care or restoration of historic sites buildings battlefields and other historical undertakings maintained or executed in whole or in part at the expense of the Commonwealth

(k) To accept and take title in the name of the Commonwealth of Pennsylvania to the sites of historical markers.

(l) To examine any records within the control of the several departments boards and commissions of this Commonwealth for the purposes of historical research and to copy any such records

(m) To examine or cause to be examined or excavated the sites and areas of former aboriginal or American Indian occupation and of frontier forts and early white settlements within this Commonwealth to acquire by purchase or gift archeological or historical collections to prepare lists of archeological or historical sites to describe them and to report upon their specific character to gather information by historical research by microfilming or otherwise copying historic documents letters and records by analyzing and determining their authenticity and by compiling lists and guides to the materials for Pennsylvania history All information reports scientific determinations and other records obtained by these surveys and investigations or archoelogical collections acquired by purchase shall be the property solely of the Commonwealth to be deposited in the State Museum or Archives or elsewhere at the discretion of the commission

(n) To control direct supervise and manage the State Museum

(o) To edit the Pennsylvania Archives

(p) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value to negotiate for the transfer of an to receive public records from any department board or commission of the Comonwealth or from any agency of a political subdivision thereof The Pennsylvania Historical and Museum Commission shall be the legal custodian of such public records as may be turned over to it by any department board or commission of the Commonwealth or by any agency of a political subdivision thereof The head of any department board or commission of the Comonwealth or of any agency of a political subdivision thereof is authorized to turn over to the Pennsylvania Historical and Museum Commission such public records legally in his custody as are not needed for the transaction of the business of his office whenever the Pennsylvania Historical and Museum Commission is willing to receive and care for them Whenever such transfers are made the Executive Director of the Pennsylvania Historical and Museum Commission shall transmit to the office from which the records are transferred a list in which such are described in terms sufficient to identify them which list shall be filed and preserved in said office

(q) To collect classify preserve and make acceptable for reference all records which may come into its possession with such exceptions as may be indicated by the commission and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the departments boards or commissions of the Commonwealth and of the counties cities and boroughs of the State The Executive Director of the commission or any employes designed by him shall have the right of reasonable access to and examination of all public records in the Commonwealth and shall report to the commission on their condition

(r) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced and to recommend uniform standards governing the use of paper ink and filing procedure for all records and papers of the several departments boards and commissions of the Commonwealth and the political subdivisions thereof which shall be construed as being of permanent and ultimate historical importance and to enforce all such standards

(s) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

(t) To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the commission may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films

(u) In performing its duties under the foregoing subsections to consult and procure the advice of such archeological anthropological historical archival or museum experts as it shall deem advisable to consult and to compensate them for such services

(v) To establish supervise and operate in cooperation with the Department of Military Affairs an extension museum of materials pertaining to war history at the Indiantown Gap Military Reservation To achieve such purpose the commission may lend materials from its collections for exhibition at such extension museum

(w) With the approval of the Governor to lend to any other meseum archival depository historical society or other reliable organized group of an educational nature any relics articles of historical interest manuscripts documents or other material committed to its custody under rules and regulations adopted by the Commission to provide adequate security for the safe return of said ma-

terial which rules and regulations shall include provision for full insurance protection of any material loaned and also with the approval of the Governor to exchange material with other museums archival depositories historical societies or other reliable organized group of an educational nature Provided That no unique relic article manuscript document or other material which is of special significance to the history of Pennsylvania shall be exchanged in this manner

Section 1315 Historical Preservation Fund All moneys collected by the Department of Property and Supplies from the sale of publications of the Pennsylvania Historical and Museum Commission and all moneys collected by the commission from fees charged for admission to historical buildings shall be paid into the State Treasury through the Department of Revenue and credited to a fund to be known as the "Historical Preservation Fund" which is hereby created Except as hereinafter provided all moneys in the fund from time to time are hereby appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical and Museum Commission for the preservation care and maintenance of the historical buildings grounds monuments and antiquities committed to its custody and for the publication and republication of matters of historical or archeological interest and for the research and editorial work incidental thereto Whenever the moneys credited to the Historical Preservation Fund during any fiscal biennium exceeds the average biennial allocation for the above purposes for the two preceding fiscal bienniums the excess shall be transferred to the General Fund

Section 6 The unexpended balance existing on the effective date of this act in any appropriation made out of the General Fund to the Pennsylvania Historical and Museum Commission is hereby transferred and appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical and Museum Commission for the same purposes as expressed in the act making such appropriation and any such unexpended balance also is hereby appropriated to the Department of Public Instruction for the payment of any bills or encumbrances incurred by the Pennsylvania Historical and Museum Commission prior to and remaining unpaid on the effective date of this act

Section 7 Article XXVIII-A of said act is hereby repealed

Section 8 The provisions of this act shall become effective

On the question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, I might say by way of explanation this is one of the Chesterman series of bills. This bill would transfer the Historical and Museum Commission to the Department of Public Instruction.

Mr. WOOD. Mr. Speaker, as a legislative member of the Historical and Museum Commission, I rise to oppose this bill.

The passage of Senate Bill No. 327 would amend the administrative code and place the Pennsylvania Historical and Museum Commission as a departmental administrative commission in the Department of Public Instruction instead of an independent commission which it has been since 1945.

No savings would be made by this transfer. There is no duplication of activities in the Commission and the department which such consolidation could eliminate. Historians, archivists and museum specialits have no common field of endeavor with educators so that placing them together would not eliminate a single position. Section 503 of the administrative code states:

> In all matters involving expenditure of money, all such departmental administrative boards and commissions shall be subject and responsible to the departments with which they are respectively connected. Such departments shall in all cases have the right to make such examinations of the books, records and accounts of their respective departmental administrative boards and commissions, as may be necessary to enable them to pass upon the necessity and propriety of any expenditure or proposed expenditure.

Section 214 of the administrative code provides that the department heads shall appoint and fix the compensation of such clerks, stenographers and other assistants as may be required for the proper conduct of the work of any departmental administrative board or commission established in their departments. The only employe that could be appointed by the commission would be its executive director, the other employes' performing its work would be actually employes of the Department of Public Instruction. Furthermore, Section 508 of the administrative code prohibits an administrative board or commission from constructing or contracting for the erection or construction of any new building or alternations or additions to an existing building involving an expenditure of more than $4000. It should, therefore, be clear that in fiscal and procurement functions, consolidation would only mean additional work for the department in checking commission requests and budgets, while the work of preparing and presenting them in the commission office would not be lessened.

It might even increase the cost of operation. According to one of the State Covernment Survey Committee's basic principles for government organization, "completely unrelated activities must not be forced into an organizational unit . . . . since such an artifice creates "layering," is expensive, and depreciates the functions involved." The commission's activities are completely unrelated to those of the Department of Public Instruction while they may be educational in a broad sense, they are not instructional. The commission's work has no direct relationship with schools, teachers, etc., except on occasion to distribute historical pamphlets to them just as the Game Commission might make available pamphlets on birds and wild life. Historical markers and shrines, the care of the museum and public records, historical research and publications are certainly not synonymous with the regular activities of the Department of Public Instruction.

It would not lead to more efficient administration. As an independent commission, the Pennsylvania Historical and Museum Commission is composed of some of the outstanding business and professional leaders of Pennsylvania. Among them are leading lawyers, newspaper publishers, the director of the historical society of Pennsylvania, a leading philanthropist, the head of the history department of the University of Pittsburgh, two members of the House of Representatives one of whom is an outstanding historian, two members of the Senate and the Superintendent of Public Instruction, ex officio. To contend that subordinating a commission of this calibre would bring about more efficient administration is inconceivable.

Conclusions. An analysis of this bill and of the provisions in the administrative code for departmental administrative commissions makes it evident that after its

enactment, commission operations, resolutions and actions in matters involving appropriation requests, expenditure of funds and personnel would substantially have the force of recommendations to the Superintendent of Public Instruction. Since these matters are involved in virtually everything the Commission does, there would be very little freedom of action left to it except as the Department of Public Instruction might concede to it. Therefore, no justification exists for lowering the prestige and position of the State's official historical agency by making it a departmental commission. During the eight years that the Pennsylvania Historical and Museum Commission operated as an independent commission, it has had a fine record of achievement far surpassing that which was accomplished while these activities were under the Department of Public Instruction prior to 1945.

I, therefore, suggest that the membership of this House vote "no" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—10

Bower,	Jones, T. H. W.,	White,	Smith, C. C., Speaker
Geer,	Kerlin,	Wilt,	
Hall,	Scott,	Young,	

NAYS—159

Alexander,	Frost,	Markley,	Schwartz,
Amarando,	Gleason,	Maxwell,	Seyler,
Andrews,	Glick,	McCann,	Shoemaker,
Ashton,	Gramlich,	McCormack,	Shotwell,
Auker,	Greenwood,	McCullough,	Snider,
Banker,	Guss,	McDermit,	Spencer,
Barkdoll,	Gutendorf,	McGee,	Stank,
Bazin,	Guthrie,	McInroy,	Stimmel,
Beaz,	Hamilton, W. H.,	McWherter,	Stone,
Blair,	Harris,	Mikula,	Stoner,
Bolton,	Haudenshield,	Miller,	Strausser,
Bomberger,	Helm,	Mills,	Sucher,
Boory,	Hersch,	Moody,	Taylor,
Bucchin,	Hewitt,	Moore,	Thomas,
Buchanan,	Hocker,	Moran,	Toll,
Bullen,	Hoggard,	Moscrip,	Tompkins,
Capano,	Ide,	Muldowney,	Toomey,
Cianfrani,	Jim,	Munley,	VanSant,
Clapper,	Johnson,	Musto,	Varallo,
Comer,	Jones, Geo. E.,	Needham,	Varner,
Connelly,	Jones, Gran'le E.	Ogilvie,	Vaughan,
Conner,	Jones, Paul F.,	Parlante,	Wall,
Coyle,	Jump,	Peta,	Wallace,
Curwood,	Kamyk,	Pfaff,	Walsh
Davis,	Kent,	Phillips,	Wargo,
Dougherty,	Kohl,	Polaski,	Waterhouse,
Down,	Kolankiewicz,	Polen,	Weidner,
Downey,	Kratz,	Poltenstein,	Welsh,
DuBois,	Kromer,	Price,	Wescott,
Dunn,	Kubacki,	Quisenberry,	Whalley,
Erb,	Lafore,	Ragot,	Wheeler,
Ewing,	Lederer,	Readinger,	Whitenight,
Farabaugh,	Leisey,	Reagan,	Willaredt,
Fenrich,	Leven,	Reidenbach,	Williams,
Ferster,	Light,	Richter,	Wood,
Filo,	Limper,	Rovansek,	Worley,
Fleischman,	Lippincott,	Royer,	Yeakel,
Floyd,	Lopresti,	Rubin,	Yetzer,
Flynn,	Maguire,	Sarraf,	Zeitz,
	Mahan,	Schmidt,	Ziegler,

NOT VOTING—38

Adam,	Gibson,	Mathews,	Petrosky,
Baumunk,	Goodling,	Metz,	Pettigrew,
Boles,	Hamilton, R. K.,	Mihm,	Rosen,
Breisch,	Jenkins,	Monroe,	Schuster,
Breth,	Keller,	Murray, J. J.,	Smith, W. B.,
Brown,	Kline,	Murray, P. G.,	Stevenson,
Cioffi,	Kornick,	Naugle,	Thompson,
Cochran,	Leonard,	Olsen,	Verona,
Cooper,	Lovett,	Peifly,	Watkins,
Flack,	Lutty,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of Senate Bill No. 341, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Health and Welfare transferring to it the powers and duties of the Department of Health Department of Welfare and Department of Public Assistance providing for a Secretary of Health and Welfare defining his powers and duties and abolishing the Department of Health the Department of Welfare and the Department of Public Assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor

General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health and Welfare Department of Labor and Industry [Department of Welfare] Department of Property and Supplies Department of Revenue [Department of Public Assistance] and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commissions Pennsylvania Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 Section 202 of said act as amended in whole by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) and as amended in part by the acts approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) the eighth day of May one thousand nine hundred forty-seven (P. L. 158) the second day of May one thousand nine hundred forty-nine (P. L. 867) the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) the twenty-second day of May one thousand nine hundred fifty-one (P. L. 323) the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 353) the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1144) and the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1245) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commisisons and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board

In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws

In the Treasury Department
Board of Finance and Revenue

In the Department of Internal Affairs
Board of Property

In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Nurse Examiners
State Board of Barber Examiners
State Board of Cosmetology
State Board of Veterinary Medical Examiners
State Board of Chiropractic Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
State Registration Board for Professional Engineers
Public Service Institute Board
State Board of Private Academic Schools
State Board of Private Business Schools
State Board of Private Trade Schools
State Board of Private Correspondence Schools

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission

In the Department of Agriculture
State Farm Products Show Commission

In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
Bushy Run Battlefield Commission

In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania

[In the Department of Health
Sanitary Water Board
State Board of Undertakers]

In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
Unemployment Compensation Board of Review
Pennsylvania Labor Relations Board

In the Department of Health and Welfare
Sanitary Water Board
State Board of Public Assistance
State Council for the Blind
Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview
Board of Trustees of Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Health and Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
.....
(descriptive name of political subdivision in which institution is located) State Hospital

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission

In the Department of Revenue
State Athletic Commission

[In the Department of Public Assistance
State Board of Public Assistance]

In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 3 Section 203 of said act as last amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 867) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made part of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans' Commission

In the Department of Forests and Waters
State Forest Commission
Flood Control Commission

[In the Department of Health
Advisory Health Board
In the Department of Welfare]
[State Welfare Commission]
In the Department of Health and Welfare
Advisory Health Board
State Welfare Commission

In the Department of Property and Supplies
General Galusha-Pennybacker Monument Commission

Section 4 Section 206 of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the administrative departments following their respective titles

Secretary of the Commonwealth of the Department of State
Auditor General of the Department of the Auditor General
State Treasurer of the Treasury Department
Secretary of Internal Affairs of the Department of Internal Affairs
Superintendent of Public Instruction of the Department of Public Instruction
Adjutant General of the Department of Military Affairs
Insurance Commissioner of the Insurance Department
Secretary of Banking of the Department of Banking
Secretary of Agriculture of the Department of Agriculture
Secretary of Forests and Waters of the Department of Forests and Waters
Secretary of Mines of the Department of Mines
Secretary of Highways of the Department of Highways
[Secretary of Health of the Department of Health]
Secretary of Health and Welfare of the Department of Health and Welfare
Secretary of Labor and Industry of the Department of Labor and Industry
[Secretary of Welfare of the Department of Welfare]
Secretary of Property and Supplies of the Department of Property and Supplies
Secretary of Revenue of the Department of Revenue
[Secretary of Public Assistance of the Department of Public Assistance]
Secretary of Commerce of the Department of Commerce

Section 5 Section 207 of said act as last amended by the act approved the eighteenth day of February one thousand nine hundred forty-nine (P. L. 16) and subsection (a) of which was last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health and Welfare the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry [the Secretary of Welfare] the Secretary of Property and Supplies the Secretary of Revenue [the Secretary of Public Assistance] the Secretary of Commerce and the members of all independent administrative boards and commissions

The Adjutant General may have the rank of Major General of the Adjutant General's Department in the Pennsylvania National Guard or Pennsylvania Guard or the Governor may designate the ranking line officer of

the Pennsylvania National Guard or Pennsylvania Guard or an officer of the Regular Army United States Navy United States Coast Guard or United States Marine Corps as Adjutant General Provided That should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for the Adjutant General And provided further That should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard Pennsylvania Guard or equivalent length of service in the regular Army of the United States United States Navy United States Coast Guard or United States Marine Corps or Officers Reserve Corps of the United States Army United States Naval Reserve United States Coast Guard Reserve or United States Marine Corps Reserve which service may be cumulative that is service in any one or more of the foregoing services may be added together

[The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed]

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who shall file the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 6 Section 209 of said act as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine P. L. 776) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor twenty-five thousand dollars

To the Lieutenant Governor fifteen thousand dollars

To the Secretary of the Commonwealth fifteen thousand dollars

To the Attorney General fifteen thousand dollars

To the Auditor General fifteen thousand dollars

To the State Treasurer fifteen thousand dollars

To the Secretary of Internal Affairs fifteen thousand dollars

To the Superintendent of Public Instruction fifteen thousand dollars

To the Adjutant General fifteen thousand dollars

To the Insurance Commissioner fifteen thousand dollars

To the Secretary of Banking fifteen thousand dollars

To the Secretary of Agriculture fifteen thousand dollars

To the Secretary of Forests and Waters fifteen thousand dollars

To the Secretary of Mines fifteen thousand dollars

To the Secretary of Highways fifteen thousand dollars

To the Secretary of Health and Welfare fifteen thousand dollars

To the Secretary of Labor and Industry fifteen thousand dollars

[To the Secretary of Welfare fifteen thousand dollars]

To the Secretary of Property and Supplies fifteen thousand dollars

To the Secretary of Revenue fifteen thousand dollars

[To the Secretary of Public Assistance fifteen thousand dollars]

To the Secretary of Commerce fifteen thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 7 Section 217 of said act is hereby amendd to read as follows

Section 217 Qualifications All deputies directors superintendents and bureau or division chiefs and other employes shall be persons especially qualified for their positions by training and experience in the particular kind of work which their official duties will require them to perform The deputy secretary of Health and Welfare or other officer of the Department of Health and Welfare responsible for the administration and enforcement of laws relating to health formerly administered and enforced by the Department of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed

Section 8 Section 412 of said act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 781) is hereby further amended to read as follows

Section 412 State Board of Medical Education and Licensure The State Board of Medical Education and Licensure shall consist of seven members two of whom shall be the Superintendent of Public Instruction and the Secretary of Health and Welfare Of the five remaining members one shall be appointed from the Medical Society of the State of Pennsylvania one from the Homeapathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania The two remaining members shall not be of the same school or system of practice

Each of the five members appointed shall at the time of his appointment be licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and shall have practiced the same in this Commonwealth for a period of not less than ten years prior to his appointment No member of the Board shall be a member of the faculty of any undergraduate school or college or university teaching medicine or surgery

The terms of members of the board shall be four years from the respective dates of their appointment

Four members of the board shall constitute a quorum

The board shall select from among their number a chairman and shall elect a secretary who need not be a member of the board

Each member of the board other than the Superintendent of Public Instruction and the Secretary of Health and Welfare shall receive fifteen dollars per diem while actually engaged in the work of the board The secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 9 Section 414 of said act is hereby amended to read as follows

Section 414 State Dental Council and Examining Board The State Dental Council and Examining Board shall consist of the president of the Pennsylvania State Dental Society the Superintendent of Public Instruction the Secretary of Health and Welfare and six persons whose term of office shall be six years

The Pennsylvania State Dental Society shall have power to nominate from its membership at least double the number of candidates required to fill the vacancies occurring annually in the membership of the State Dental Council and Examining Board Such candidates shall have been engaged in the actual practice of dentistry in this Commonwealth during a period of not less than ten years The Governor shall appoint members to fill all vacancies occurring from any cause only from the candidates nominated as aforesaid No member of the faculty of a dental college shall be eligible to appoint as a member of the State Dental Council and Examining Board In the event of failure of the Pennsylvania State Dental Society to nominate candidates as aforesaid the Governor shall appoint members in good standing of the said society without other restriction

The members of the State Dental Council and Examining Board shall annually select one of their number to act as chairman and shall elect a secretary who need not be a member of the board

Each of the members of the State Dental Council and Examining Board other than the Superintendent of Public Instruction the Secretary of Health and Welfare and the president of the Pennsylvania State Dental Society shall receive fifteen dollars per diem while actually engaged in the work of the board and the secretary shall receive such reasonable compensation as the board shall determine

with the approval of the Superintendent of Public Instruction

Section 10 Sections 431 and 439 of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) are hereby further amended to read as follows

Section 431 Water and Power Resources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters the Secretary of Health and Welfare the Executive Director of the Pennsylvania Fish Commission and a member of the Pennsylvania Public Utility Commission to be designated by the Governor The fifth member shall be an engineer and shall receive a salary of three thousand dollars per annum

The Secretary of Forests and Waters shall be chairman of the board

Three members of the board shall constitute a quorum

Any investigation hearing or other proceeding which the board has power to undertake or hold may be undertaken or held by or before any member of the board or by or before any official of the board designated by the board for such purpose provided all actions and order shall be approved by a majority thereof

The board shall have authority to make and adopt rules and regulations for its procedure acts and orders not inconsistent with this act

Interim permits and orders may be issued and made by the chairman of the board or by any official of the board designated for such purpose by the board but such interim permits and orders shall be subject to subsequent approval or confirmation by the board

Section 439 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health and Welfare who shall be chairman thereof the Secretary of Forests and Waters the Secretary of Mines the Executive Director of the Pennsylvania Fish Commission and three other members

Four members of the board shall constitute a quorum

Each member of the board except the Secretary of Health and Welfare the Secretary of Forests and Waters the Secretary of Mines and the Executive Director of the Pennsylvania Fish Commission shall receive fifteen dollars ($15) per diem when actually engaged in the work of the board

Section 11 Section 444 of said act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 788) is hereby further amended to read as follows

Section 444 State Council for the Blind The State Council for the Blind shall consist of seven members of whom three shall be the Secretary of Health and Welfare the Superintendent of Public Instruction and the Secretary of Labor and Industry Of the other four members one at least shall be a blind person

The terms of members shall be four years from the dates of their respective appointments

No paid employe of any school institution or other agency carrying on work for the blind shall be eligible for appointment

The council for the blind shall annually elect from its members a chairman The Secretary of Health and Welfare shall be the secretary and executive officer of the council

Four members of the council shall constitute a quorum

At least two regular meetings of the council shall be held each year Special meetings may be called jointly by the chairman and the secretary and shall be called by the chairman on the written request of any three of the appointed members of the council

Section 12 Subsections (f) and (g) of Section 448 of said act subsection (f) as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) and subsection (g) as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) are hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health and Welfare or in his place his duly authorized deputy and ten members five of whom shall be doctors of medicine licensed to practice medicine in Pennsylvania one a dentist licensed to practice dentistry in Pennsylvania one a pharmacist registered with the State Board of Pharmacy and one an engineer registered with the State Registration Board for Professional Engineers who is experienced in sanitary engineering The Secretary of Health and Welfare or in his place his duly authorized deputy shall be chairman of the board

The term of office of each appointed member of the board shall be four years measured from the third Tuesday of January of the year in which he takes office or until his successor has been appointed and has qualified except that in the initial appointment of the members of the board one member shall be appointed for a term of one year three members for a term of two years three members for a term of three years and three members for a term of four years

Six members of the board together with the Secretary of Health and Welfare or in his place his duly authorized deputy shall constitute a quorum

Each appointed member of the board shal receive actual traveling expenses and per diem compensation at the rate of $25.00 a day for time actually devoted to the business of the board

(g) The State Welfare Commission shall consist of the Secretary of Health and Welfare ex officio and eight other members The Secretary of Health and Welfare shall be chairman of the board The Secretary of Health and Welfare and four other members of the board shall constitute a quorum

Section 13 Article XXI of said act Section 2102 of which was amended by the act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 412) Section 2110 of which was amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) Section 2111 of which was amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) Section 2112 of which was amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and Section 2114 of which was added by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 817) is hereby further amended to read as follows

Article XXI

Powers and Duties of the Department of Health and Welfare and Its Departmental Administrative and Advisory Boards

(a) General Powers and Duties

Section 2101 Powers and Duties in General [The Department of Health shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the former bureaus thereof the Commissioner of Health and the Secretary of Health] The Department of Health and Welfare shall subject to any inconsistent provisions in this act contained exercise the powers and perform the duties by law vested in and imposed upon the Department of Health the former bureaus thereof the Commissioner of Health the Secretary of Health the Department of Welfare the Secretary of Welfare the former Department of Public Welfare and the Commissioner of Public Welfare the Department of Public Assistance and the Secretary of Public Assistance

(b) Health

Section 2102 General Health Administration The Department of Health and Welfare shall have the power and its duty shall be

(a) To protect the health of the people of this Common-

wealth and to determine and employ the most efficient and practical means for the prevention and suppression of disease

(b) To cause examination to be made of nuisances or questions affecting the security of life and health in any locality and for that purpose without fee or hindrance to enter examine and survey all grounds vehicles apartments buildings and places within the Commonwealth and all persons authorized by the department to enter examine and survey such grounds vehicles apartments buildings and places shall have the powers and authority conferred by law upon constables

(c) To order nuisances detrimental to the public health or the causes of disease and mortality to be abated and removed and to enforce quarantine regulations

(d) If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the department for the abatement or removal thereof to enter upon the premises to which such order relates and abate or remove such nusances as may now or hereafter be provided by law

(e) For the purpose of collecting or recovering the expense of the abatement or removal of a nuisance to file a claim or maintain an action in such manner as may now or hereafter be provided by law against the owner or occupant of the premises upon or from which such nuisance shall have been abated or removed by the department

(f) To revoke or modify any order regulation by-law or ordinance of a local board of health concerning a matter which in the judgment of the department affects the public health beyond the terriory over which such local board has jurisdiction

(g) To promulgate its rules and regulations by sending printed copies thereof to all local boards of health county and district superintendents of schools and clerks of councils of cities and boroughs and by printing the same once in at least one daily newspaper of Philadelphia and Pittsburgh and to cause to be printed in circular form such rules and regulations and give copies thereof to any person requesting the same

(h) Whenever in the opinion of the department conditions exist in any borough or any township of the first class within the Commonwealth which constitute a menace to the lives and health of the people living outside the corporate limits of such borough or township or after it be known to the department at any borough or any township of the first class is within an existing or efficient board of health to enter and take full charge of and administer the health laws regulations and ordinances of such borough or township and to continue in charge thereof until the department shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township and is ready able and willing to assume and carry into effect the duties imposed upon it by law and to collect all expenses incurred by the department in performing its duties hereunder as may now or hereafter be provided by law

(i) To take over the administration of the health laws in any such borough or township at the expense of the department whenever the borough or township shall request the department to do so and the department shall deem it advisable to comply with such request

(j) To prescribe standard requirements for the conduct of the medical inspection of the pupils of the public schools throughout the Commonwealth and to appoint medical inspectors to make such school inspections as may now or hereafter be provided by law

(k) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any public utility over which the Pennsylvania Public Utility Commission has jurisdiction whenever said commission shall certify such question to the department

The findings of the department upon any such questions shall be incorporated in and made a part of the determination or decision of said commission of the controversy or other proceeding in connection with which the question arose and shall be binding upon the parties to such controversy or other proceeding unless either party shall take an appeal from the commission's determination or decision as may now or hereafter be provided by law

Section 2103 Housing The Department of Health and Welfare shall have the power and its duty shall be to investigate the sanitary condition of tenements lodging and boarding houses and when the same are found to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same in such manner and subject to such limitations as may now or hereafter be provided by law and to notify the owners or agents thereof in writing setting forth the unsanitary or overcrowded condition thereof specifying the changes or alterations which shall be made thereto for the purpose of relieving such condition and further specifying the time within such changes or alterations shall be completed or overcrowding relieved Provided That in making inspections as authorized by this section the Department of Health and Welfare shall cooperate with the Department of Labor and Industry for the purpose of avoiding any duplication of inspection or overlapping of functions

For the purpose of making investigations authorized by this section the officers and agents of the department shall at all times have the right of ingress into all tenement lodging and boarding houses

Section 2104 Vital Statistics The Department of Health and Welfare shall have the power and its duty shall be

(a) To obtain collect compile and preserve all statistics of marriages deaths diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all professions whose occupation is deemed to be of importance in obtaining a complete registration of births deaths marriages and diseases or other vital statistics

((b) To prepare the necessary methods form and blanks for obtaining and preserving records of registration of births deaths marriages and diseases and to insure the faithful registration of the same in the townships boroughs cities and counties of the State and in the department

(c) To see that the laws requiring the registration of births deaths marriages and diseases are uniformly and thoroughly enforced throughout the State and prompt returns of such registrations made to the department

(d) With the advice and concurrence of the Advisory Health Board to make appropriate regulations for the thorough organization and efficiency of the registration of the vital statistics throughout the Commonwealth and to enforce such regulations

(e) To issue marriage birth and death certificates and such burial or removal permits as may now or hereafter be provided by law

(f) To establish such districts for the registration of vital statistics and appoint such registrars deputies and sub-registrars as may be necessary properly to obtain collect compile and preserve the statistics which the department is required to obtain collect compile and preserve All local registrars deputies and sub-registrars appointed under this section shall perform such duties as shall be required of them by the department and shall receive such compensation as may now or hereafter be fixed by law

Section 2105 Health Districts and Officers The Department of Health and Welfare shall have the power in order to enable it more efficiently to manage the sanitary affairs of the Commonwealth to apportion the Commonwealth into such number of health districts as the department with the approval of the Governor shall decide and in each district to appoint a health officer who shall under the direction of the department have supervision and control of the sanitary affairs of the district

Section 2106 Quarantines The Department of Health and Welfare shall have the power and its duty shall be

(a) With the approval and concurrence of the Advisory Health Board to declare certain diseases to be communicable in addition to those by law declared so to be and to establish such regulations for the prevention of the spread of such disease as the department and the Advisory Health Board shall deem necessary and appropriate

(b) To establish and enforce quarantines in such manner for such period and with such powers as may now or hereafter be provided by law to prevent the

spread of disease declared by law or by the department to be communicable diseases

(c) To administer and enforce the laws of this Commonwealth with regard to vaccination and other means of preventing the spread of communicable diseases

Section 2107 Tuberculosis Sanatoria The Department of Health and Welfare shall have the power and its duty shall be

(a) To maintain sanatoria or colonies for the reception and treatment of indigent persons affected with tuberculosis

(b) To approve or disapprove plans and specifications for county hospitals or sanatoria erected for the treatment therein of indigent persons suffering from tuberculosis as may now or hereafter be provided by law

Section 2108 Narcotic Drugs The Department of Health and Welfare shall have the power and its duty shall be to supervise the enforcement of and administer laws regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of narcotic drugs

Section 2109 Water Pollution The Department of Health and Welfare shall have the power and its duty shall be

(a) To act as the enforcement agent for the Sanitary Water Board The department shall make such inspections conduct such investigations and do such other acts as the Sanitary Water Board shall from time to time direct but the department shall in the exercise of its powers and the performance of its duties hereunder be subject at all times to the rules and regulations orders and directions of the Sanitary Water Board Provided however That between sessions of the board the department shall have the power to issue such orders and take such action within the powers of the board as the circumstances may require but any order so issued and any action so taken may be rescinded or revoked by the board at its next session

(b) To issue water works permits and stipulate therein the conditions under which water may be supplied to the public and to administer sections one two and three of the act approved the twenty-second day of April one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" its amendments and supplements

Section 2110 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) [To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" which reads as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharged or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any of the waters of the State at the time of the passage of this act But this exception shall not permit the discharge of sewage from a sewer system which shall be extended subsequent to the passage of this act

"For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals

"Section 5 Upon application duly made to the Commissioner of Health by the public authorities having by law the charge of the sewer system of any municipality the Governor of the State the Attorney General and the Commissioner of Health shall consider the case of such a sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the State and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the Commissioner of Health may issue a permit [for the discharge of sewage from any such sewer system into any of the waters of the State and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and change by the Commissioner of Health on due notice after an investigation and hearing and an opportunity for all interested therein to be heard thereon being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the Commissioner of Health the right to discharge sewage into any of the waters of the State shall cease and terminate and the prohibition of this act against such discharge shall be in full force as] though no permit had been granted but a new permit may thereafter again be granted as hereinafter provided

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the Commissioner of Health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit

"Section 8 All individuals private corporations and companies that at the time of the passage of this act are discharging sewage into any of the waters of the State may continue to discharge such sewage unless in the opinion of the Commissioner of Health the discharge of such sewage may become injurious to the public health If at any time the Commissioner of Health considers that the discharge of such sewage into any waters of the State may become injurious to the public health he may order the discharge of such sewage discontinued

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the State within ten days after having been so ordered by the Commissioner of Health

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the State contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court

"Section 11 Any order or decision under this act of the Commissioner of Health or that of the Governor Attorney General and Commissioner of Health shall be subject to an appeal to any court of common pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appeal from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the board to authorize the

granting of a permit for discharging sewage into any of the waters of the State under section five of the said act] To administer and enforce the laws enacted to preserve and improve the purity of the waters of the Commonwealth and in particular the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and its amendments

(b) To exercise all other powers not contrary to law formerly exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law exercised by the former Department of Fisheries the former Commissioner of Fisheries and the former Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreational purposes The board shall have the power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health and Welfare to make such inspections conduct such investigations and do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the board

Section 2111 Advisory Health Board The Advisory Health Board shall have the power and its duty shall be

(a) To advise the Secretary of Health and Welfare on such matters as he may bring before it

(b) To make such reasonable rules and regulations not contrary to law as may be deemed by the board necessary for the prevention of disease and for the protection of the lives and health of the people of the Commonwealth and for the proper performance of the work of the Department of Health and Welfare in administering and enforcing laws relating to health and the laws in which the duty of administration is imposed upon the Department of Health and such rules and regulations when made by the board shall become the rules and regulations of the department

(c) To adopt rules and regulations for personnel administration based upon merit and fitness including standards of recruitment selection tenure removal and working conditions and to prescribe qualifications for professional technical and executive personnel appointed or employed by the Department of Health and Welfare in executing the powers and duties formerly executed by the State Department of Health and by the departments or boards of health of counties or other political subdivisions No restrictions shall be imposed relating to race religion residence or political affiliation

(d) To prescribe minimum health activities and minimum standards of performance of health services for counties or other political subdivisions

[Section 2112 State Board of Undertakers The State Board of Undertakers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board]

Section 2113 State Hospital for Crippled Children The Department of Health and Welfare shall have the power and its duty shall be to manage and control the State Hospital for Crippled Children at Elizabethtown The department shall have full control over the admission of patients to and their discharge from said hospital

Section 2114 Alcoholism The Department of Health and Welfare shall have the power and its duty shall be

(a) To investigate the subject of alcoholism in respect to rehabilitation and compile and maintain reliable statistics indicating the effectivenes of any rehabilitation programs carried forward by State-aided clinics for alcoholics State hospitals and State-aided hospitals receiving alcoholics

(b) To take such other steps as may be necessary to procure such information and data as may be deemed helpful in the treatment and rehabilitation of alcoholics

(c) Welfare

Section 2120 Definitions As used in this division of this article

(a) "State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for mental health patients or any other institutions for feeble-minded or epileptic persons or for juvenile delinquents and dependents and charitable institutions within this Commonwealth maintained in whole by the Commonwealth and whose boards of trustees are departmental administrative boards within the Department of Health and Welfare

(b) "Children's Institutions" shall mean any incorporated or unincorporated organization society corporation or agency public or private which may receive or care for children or place them in foster family homes either at board wages or free or any individual who for hire gain or reward receives for care a child unless he is related to such child by blood or marriage within the second degree or any individual not in the regular employ of the court or of an organization society association or agency duly certified by the department who in any manner becomes a party to the placing of children in foster homes unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof

(c) "Maternity Home and Hospital" shall mean any house home or place in which within a period of six months any person receives for care or treatment during pregnancy or during or immediately after parturition more than one woman except women related to such person by blood or marriage within the second degree

(d) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth either directly or indirectly and to which the Governor does not appoint any member of the board of inspectors managers trustees or directors all houses or places within the Commonwealth in which any mental patient is detained whenever the occupant or owner of the house or person having charge of such patient receives any compensation for custody control or attendance other than as an attendant or nurse and also all institutions houses or places in which more than one such patient is detained with or without compensation paid for custody or attendance all children's institutions and maternity homes and hospitals within the Commonwealth all homes or hospital for crippled children within the Commonwealth except the State Hospital for Crippled Children all prisons jails hospitals almshouses or poorhouses maintained by any county city borough township or poor district of this Commonwealth and all institutions associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed and all houses and places maintained by such institutions associations or societies in which such children may be kept or detained

Section 2121 Supervisory Powers The Department of Health and Welfare shall have supervision over

(a) All State institutions

(b) All supervised institutions as defined in this article

(c) All children's institutions within this Commonwealth

(d) All maternity homes and hospitals within this Commonwealth

(e) Any labor or system of labor carried on in the

penal correctional or reformatory institutions of the State

(f) Any system of reparation provided by the Commonwealth for relief from conditions caused by mine-caves fire flood or other casualty and constituting a menace to public safety and welfare

(g) All boarding homes for children which have been licensed by the State

Section 2122 Visitations and Inspections The Department of Health and Welfare shall have the power and its duty shall be

(a) To make and enforce rules and regulations for a visitation examination and inspection of all supervised institutions

(b) To visit and inspect at least once in each year all State and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care or treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Health and Welfare or other officer inspector or agent of the department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State or supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State or supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Health and Welfare or to such officer inspector or agent of the department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and inspection of any State or supervised institution any condition is found to exist therein which in the opinion of the department is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State or supervised institution or to the proper maintenance custody safety and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State or supervised institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers shall fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceeding to enforce compliance therewith or the department may withhold any State money available for such institution until such officer or officers comply with such direction

(d) To cause to be visited and examined any person found by an inquisition to be mentally ill and to authorize such visiting and examining by an officer or agent of the department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such person or to a judge of a court of common pleas of the county in which such person is a resident or detained to make such orders for the maintenance custody or care of such person and for the care and disposition of the property of such person as the case may require

Section 2123 Appointment of Visitorial Bodies The Department of Health and Welfare shall have the power to appoint a board of three or more members in any county of the Commonwealth to act without compensation as a board of visitors to visit any supervised institution in such county in aid of and as the representative of the department such board to make a report of such visitation as the department may require It shall be the duty of the officers or other persons having charge of such supervised institution to afford full facilities for such board to make an examination and inspection thereof

Section 2124 Promotion of County Welfare Organizations The Department of Health and Welfare shall have the power to promote the organization of county councils of social agencies and county welfare boards the purpose of which shall be to coordinate the social welfare activities of the counties

Section 2125 Recommendations The Department of Health and Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein whereupon it shall be the duty of such officers or other persons to adopt and put into practice such standards and methods

Section 2126 Transfer Parole or Discharge of Patients The Department of Health and Welfare shall have the power

(a) To apply to the proper court for the transfer or removal of mental health patients from county or district poorhouses almshouses hospitals or in the custody of the directors or overseers of the poor to the State mental hospitals

(b) To transfer the indigent mental health patients from State mental hospitals to the almshouses poorhouses or prisons of the several counties charged with their maintenance

(c) To transfer patients or inmates from one State mental hospital to another such hospital

(d) To transfer a committed mental patient from a licensed private hospital or institution to a State or licensed county hospital and vice versa

(e) To apply to the proper court for the removal to a mental hospital of any person imprisoned in a penitentiary or prison and believed to be mentally ill

(f) To transfer a committed inmate from one type of institution under the supervision of the department to another type of institution under its supervision

(g) To investigate and be heard before an order is made in any case to remove to any place of custody other than a hospital any criminal confined in a hospital by order of any court or any mental patient committed to a hospital after an acquittal of crime

The cost of the transfer or removal and of the maintenance of any mental patient transferred by or under the direction or upon the application of the Secretary of Health and Welfare or other officer of the department pursuant hereto shall be borne and paid in the manner provided by law in the case of any such transfer or removal

All traveling expenses of indigent mental patients discharged by order of the department from any State mental hospital from the hospital to their respective homes shall be paid by the hospital the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent mental patients then current

(h) To order and compel the parole or discharge of any person detained in any place as insane or of unsound mind other than a person committed after trial and conviction for crime or by order of court but the department shall not make any such order unless notice be given to the person having charge of the building in which and to the person or persons at whose instance the patient is detained and reasonable opportunity given them to justify a further detention and the department has caused the

case of the patient to be personally attended and examined by its officer or agent

Section 2127 Child Welfare The Department of Health and Welfare shall have the power and its duty shall be

(a) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State to return such child to the State of its legal residence and to enter into appropriate contracts with such State relative thereto

(b) To exercise any other powers and perform any other duties with regard to the bringing into this Commonwealth dependent delinquent or defective children which may now or hereafter be authorized or imposed by law upon the department

(c) To make and enforce such rules and regulations for the effective enforcement of this section as shall be deemed advisable and appropriate

Section 2128 Restoration The Department of Health and Welfare shall have the power and its duty shall be

(a) To require and supervise the transfer of inmates from one State penal or correctional institution to any other State penal or correctional institution

(b) To formulate and put into operation plans for the classification of State penal or correctional institutions and also to formulate and put into operation a program for the classification of inmates so that the inmates may be grouped in those institutions which have the proper facilities

(c) To request from any or all magistrates chiefs of police sheriffs district attorneys courts judges probation officers and all others concerned in the control apprehension trial and punishment of criminals and delinquents in this Commonwealth periodical reports as to the number and kind of crimes reported the numbers age sex color nativity and offenses of criminals and delinquents arrested tried and otherwise disposed of the sentences imposed and whether executed or suspended the number placed on probation and the reasons therefor the number of probation officers and the nature of the oversight exercised over those placed on probation and for the purpose of verifying the reports so made the department shall have the power to make such further inquiry or investigation as may seem to it necessary and it shall be the duty of all such magistrates and other officers to make such reports at such time or times and to furnish such facilities for investigation and such cooperation as the department may require

Section 2129 Inmate Labor The Department of Health and Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern State Penitentiary the Western State Penitentiary the Rockview Penitentiary the new Eastern State Penitentiary at Graterford the Pennsylvania Industrial Reformatory at Huntingdon and such other penal or correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to such institutions who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of doing printing or of manufacturing and producing supplies or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or the performance of other work in State forests or for the purpose of industrial training or instruction or in the manufacture and production of crushed stone briek tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other penal or correctional institutions of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To contract to sell or sell the articles manufactured or produced in the said industries carried on in the said penitentiaries reformatory or other penal or correctional institutions which cannot be used therein to the Commonwealth or to any county city borough township school district or poor district thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth or to the Government of the United States or any department bureau commission or agency thereof or to any other State or political subdivision thereof or to any institution receiving aid from the Government of the United States or of any other State

(d) To arrange for the employment of inmates of such institutions at such work or labor within or upon the grounds of such institutions as may be necessary for the maintenance of the institutions or the raising of food products therefor

(e) To charge to each such institution such rate per diem as may be paid by the department to such inmate hereunder for his services for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor

Also to collect from each such institution for any manufactured supplies or products used by it the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor All amounts collected by the Department of Health and Welthe Department of Revenue into the Manufacturing Fund fare from such institutions hereunder shall be paid through in the State Treasury and all such amounts shall be considered a part of such institutions' maintenance expense

(f) To charge to each such institution in like manner for the labor of all inmates engaged in preparing materials for the construction of buildings or in doing construction work such payments to be made by the institutions out of funds available for construction work All moneys received hereunder shall be paid into the Manufacturing Fund through the Department of Revenue

(g) Through the Department of Revenue to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the institutions This clause shall not however apply to the sale of surplus food products or products of the soil as elsewhere in this act permitted

(h) To pay out of the Manufacturing Fund all expenses necessary for the proper conduct of the work of the department pertaining to the establishment maintenance and carrying on of industries in the State penal and correctional institutions including the payment of salaries wages and other compensation of superintendents managers supervisors chairmen clerks assistants and other employes engaged in the operation and management of such industries the payment of wages for the labor of inmates of such institutions the payment of rentals and other expenses for offices rooms garage space and other accommodations outside of the Capitol buildings either in or outside the city of Harrisburg the erection construction alteration or repair of buildings necessary to house such industries the payment of premiums for workmen's compensation insurance covering officers and employes and for surety bonds for such officers and employes as may be required by law to furnish such bonds the purchase and the payment of the operating cost of motor vehicles required for full-time use including premiums and liability insurance covering such motor vehicles for officers and employes operating them the payment of mileage charges to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use the purchase of machinery equipment furniture materials supplies and commodities the payment of charges to the Department of Property and Supplies for any purchases or services made through the Purchasing Fund and for the payment of all other necessary expenses

Estimates of the amounts to be expended from the

Manufacturing Fund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations and it shall be unlawful for the Department of the Auditor General to honor any requisition for expenditures or moneys out of this appropriation in excess of the estimates approved by the Governor Subject to this provision the Department of the Auditor General shall from time to time draw warrants upon the Treasury Department for the amounts specified in such requisition not exceeding however the amount in the Manufacturing Fund at the time of the making of any such requisitions

(i) To require that an account shall be kept by the proper officers of each said penitentiary reformatory and other correctional institution of the labor performer by inmates In such account shall be shown the time each inmate is actually engaged in work the rate of wage at which he is to be paid which shall be regulated by the department In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuuniary value of the work performed and also on the willingness industry and good conduct of the inmate All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund to be disbursed or held by such institution in the manner following

Three-fourths of the amount of wages payable to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes shall constitute a fund for the relief of any person or persons dependent upon such inmate and shall be paid upon the order of the board of trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such board at such time or times as said board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner provided however That subject to the rules and regulations of the board of trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the department

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(k) To the extent to which it is unable to provide work for every physically able inmate of such institutions to authorize the several boards of trustees of such institutions to permit inmates to engage in such work or industries as the department may approve and which they are able to provide from other sources but all such work shall be performed the products thereof sold and the proceeds thereof disposed of under the rules and regulations of the department covering the same

(1) To supervise the establishment in other State institutions of industries classes in occupational therapy and other means for the employment and training of inmates or patients

Section 2130 Mental Health The Department of Health and Welfare shall have the power and its duty shall be

To administer and enforce The Mental Health Act of 1951 and any other laws of this Commonwealth relative to the prevention of mental diseases mental defects epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

Section 2131 Approval of Plans and Mortgages The Department of Health and Welfare shall have the power and its duty shall be

(a) To approve or disapprove all plans for the erection or substantial alteration of any State or supervised institution receiving aid from the Commonwealth

(b) To investigate and report to the Auditor General upon every application to the Auditor General made by any institution corporation or unincorporated association desiring to give a mortgage under the provisions of the act approved the twenty-ninth day of April Anno Domini one thousand nine hundred and fifteen (P. L. 201) entitled "An act making mortgages given by benevolent charitable philanthropic educational and eleemosynary institutions corporations or unincorporated associations for permanent improvement and refunding purposes prior liens to the liens of the Commonwealth for the appropriation of moneys providing a method for the giving of such mortgages and fixing the duties of the Auditor General and Board of Public Charities in connection therewith"

Section 2132 State Institutions With regard to State institutions the Department of Health and Welfare shall have the power and its duty shall be

(a) To determine the capacity of such institutions

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such institutions for the payment out of moneys specifically appropriated to the department for the purpose of the expenses of administering operating maintaining and developing such State institutions

(d) To require the submission to the department of any contract for repairs alterations or equipment which any such State institution desires to make and to approve or disapprove such proposed contract No such contract shall be valid without the approval of the department as evidenced by the signature of the Secretary of Health and Welfare

Section 2133 Stores at State Institutions With regard to State institutions the Department of Health and Welfare shall have the power to authorize the construction of separate buildings or the addition to or improvement of existing buildings for the purpose of operating and conducting therein a store or canteen for the convenience and benefit of the inmates or patients of such institutions out of moneys appropriated therefor by the General Assembly or from moneys derived from the operation of any such stores or from grants or gifts offered for such particular purpose

Whenever any such construction addition or improvement is made for such purpose the same shall become the property of the Commonwealth regardless of the source of the funds used in connection therewith

Section 2134 Utility Services for State Institutions For the purpose of providing utility services for State institutions the Department of Health and Welfare may execute such agreements and contracts as it may deem necessary therefor with any political subdivision or any authority to provide utility services and for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority or political subdivision for the purpose of acquiring holding constructing improving maintaining and operating sewage systems water supply systems electric power gas steam or other utility systems

Payment of the costs of such expenses charges and services shall be made from appropriations to the department for such purposes in accordance with the agreement made by the department

Section 2135 Care of the Indigent The Department of Health and Welfare shall have the power and its duty shall be

(a) Whenever the General Assembly shall have specifically appropriated money to the department for the purpose to issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such hospitals homes and institutions as shall conform to at least the minimum standards of plant equipment service administration and care and treatment necessary for the proper care and treatment of patients or inmates as required by the rules and regulations of the department or established by law

in amounts computed upon the per diem rates of payment established by law for free service to indigent persons as follows

1 The care and treatment of sick or injured persons in hospitals

2 The care of dependent delinquent and defective children in homes or institutions

3 The care of dependent adults in homes and institutions

4 The care and treatment of crippled children in homes or hospitals

5 The care treatment and removal of mental patients in private institutions licensed by the department

6 The removal of nonresident dependent children

7 The placement of dependent children through child-caring agencies

(b) To approve requisitions issued by hospitals homes or institutions to which the General Assembly shall have appropriated money for the care and treatment of indigent persons if such hospitals homes or institutions shall conform to at least the minimum standards of plant equipment service administration and care of treatment necessary for the proper care and treatment of patients or inmates as required by the rules and regulations of the department or established by law and if such requisitions are in the amounts to which such hospitals homes or institutions are entitled according to law

(c) To establish rules and regulations not inconsistent with law prescribing minimum standards of plant equipment service administration and care and treatment for State-aided institutions and for determining the number of free days of care and treatment rendered to indigent persons by hospitals homes or institutions

Section 2136 State Welfare Commission The State Welfare Commission shall have the power and its duty shall be

(a) To advise the Secretary of Health and Welfare on such matters as the secretary may bring before it or as the commission may require the secretary to bring before it

(b) To have general supervision over the policies of the department in the administration of laws relating to welfare and in the administration of laws in which that duty is imposed upon the Department of Welfare

(c) From time to time to approve or disapprove the rules and regulations of the department relating to welfare laws and relating all laws in which the duty of administration is imposed upon the Department of Welfare

Section 2137 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Health and Welfare shall have general direction and control of the property and management of such institution it shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Health and Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The board of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview

Board of Trustees at Rockview of the Minimum Security Prison at Rockview

The Pennsylvania Industrial School at Rockview

The Pennsylvania Institution for Delinquent Defectives at Rockview

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees of the Pennsylvania School for Girls of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn of the Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital at State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anhtracite Coal Regions of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The forgoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Section 2138 State Council for the Blind The State Council for the Blind shall have the power and its duties shall be

(a) To formulate a general policy and program for the prevention of blindness and for the improvement of the condition of the blind in this Commonwealth Such policy and program shall be modified from time to time as may be found necessary or advisable in the light of improvements in method and practice

(b) To make recommendations in accordance with such policy and practice to the several executive and administrative departments boards and commissions of this Commonwealth and to any public or private agencies therein which may be in any way concerned with work with or for the blind

(c) To cooperate with State and local agencies both public and private in taking steps to prevent the loss of sight in alleviating the condition of blind persons and persons of impaired vision in extending and improving the education advisement training placement and conservation of the blind and in promoting their personal economic social and civic well-being

(d) To act as a means for communicating with other State agencies public or private and with national agencies and to cooperate in efforts to procure an enactment of legislation regarding the prevention of blindness the improvement of the blind or the regulation of private agencies for the care of the blind

(e) To collect systematize and transmit to the Department of Property and Supplies for publication and distribution to other agencies information in regard to blind persons and persons of impaired vision in this Commonwealth including their present physical and mental condition the causes of blindness and the possibilities of improvement of vision their financial status and earning capacity for education and vocational training and any other relevant information looking toward the improvement of their condition

(f) To refer cases of blind persons or problems in relation to the blind or prevention of blindness to such agencies public or private as may be likely to deal most successfully with them

(g) To encourage the cooperation of all agencies public and private doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness

(h) To supervise the expenditures of State appropriations made to such agencies except in cases in which such supervision is by law within the powers or duties of some other administrative department board or commission

(i) To furnish or make available medical treatment surgical operations eye glasses and other necessary aids or services including transportation to needy blind persons or persons with impaired vision for the purpose of improving conserving or restoring their vision These services and aids shall not be furnished unless they are otherwise unavailable and in no case shall the total cost thereof exceed two hundred fifty dollars ($250) per person

(j) To take any action and to adopt any regulations necessary to carry out the objectives of this section and in furtherance of those objectives to accept any grants or contributions from the Federal Government or any agency thereof

Any such grants or contributions shall be held by the State Treasurer as custodian for the State Council for the Blind and shall be paid out on requisition of the State Council for the Blind without further appropriation

(k) To improve the condition of the blind by supplying where not otherwise available home instruction and training for educable blind persons in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial

(l) For the purpose of improving the economic conditions of the industrially blind to furnish and make available medical and psychological examinations medical and surgical treatment hospitalization prosthetic appliances and aids vocational counseling and guidance prevocational and vocational training transportation for medical and training purposes maintenance for medical and training purposes placement in suitable employment with necessary occupational tools and equipment and post-placement employment adjustment these services to be made available to residents of the Commonwealth who have reached their sixteenth birthday and who have a thirty percent or greater loss in visual functioning and who are suffering from a static permanent employment handicap by reason of this loss of visual functioning

Section 2139 Crime Prevention The Department of Health and Welfare shall have the power and its duty shall be

(a) To investigate the general subject of crime prevention in all of its phases with particular attention to the subject of the economic value to the Commonwealth of crime prevention

(b) To stimulate the various state departments to develop their facilities and methods to control the factors entering into delinquency and crime

(c) To visit study and evaluate conditions in communities throughout the Commonwealth and advise local agencies as to organization and development of needed programs

(d) To collate interpret and publicize statistics and reports relating to the problem of juvenile delinquency and crime

(e) To prepare and sponsor legislation bearing upon the many specific problems incident to crime prevention

(f) To take such other steps as may be necessary to procure such information and data as may be deemed helpful reduce and prevent crime

(d) Public Assistance

Section 2150 Definition As used in this division of this article

(a) "Assistance" means assistance as defined by the Public Assistance Law

(b) "Local Board" means a board established by law and authorized to provide assistance in one or more counties including until abolished in accordance with law any board of trustees of the Mothers' Assistance Fund or Board of Trustees of Pension Fund for the Blind

Section 2151 Public Assistance The Department of Health and Welfare shall have power and its duty shall be

(a) To administer and carry out the provisions of the Public Assistance Law and in so doing to supervise local boards and to allocate to them on the basis of need and as may be required for blind pensions funds with which to provide assistance and funds for administrative expenses

(b) To take any other action authorized or required by this or any other law

Section 2152 State Board of Public Assistance The State Board of Public Assistance shall have the power and its duty shall be

(a) To approve or disapprove and adopt rules regulations and standards consistent with law recommended by the Department of Health and Welfare and local boards as to eligibility for assistance and as to its nature and extent To establish for the department and local boards rules and regulations concerning the administration of the Public Assistance Law

(b) To study the work of the Department of Health and Welfare relating to public assistance and from time to time to recommend to the Governor changes in administrative policy or in the law

(c) To take any other action authorized or required by law

Section 14 Articles XXIII and XXV-A of said act are hereby repealed

Section 15 (a) The Department of Health the Depart-

ment of Welfare and the Department of Public Assistance as now constituted are hereby abolished and the powers and duties vested by law in the Department of Health or the Secretary of Health the Department of Welfare or the Secretary of Welfare the Departmnt of Public Assistance or the Secretary of Public Assistance are hereby transferred to and hereafter shall be exercised by the Department of Health and Welfare or the Secretary of Health and Welfare

(b) This act shall not affect pending actions or preceedings civil or criminal brought by or against the Department of Health or the Department of Welfare or the Department of Public Assistance or their officers but such actions or proceedings may be prosecuted or defended by the Secretary of Health and Welfare as if originally begun by or against him Nor shall any provision of this act affect any rule or regulation or any order or recommendation made by or any other matter or proceedings before the Department of Health or the Department of Welfare or the Department of Public Assistance All such matters and proceedings pending on the effective date of this act shall be continued before the Department of Health and Welfare

(c) All employes of the Department of Health Department of Welfare and Department of Public Assistance on the effective date of this act shall become employes of the Department of Health and Welfare and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the Secretary of Health and Welfare Persons who upon the effective date of this act are employes of the Department of Health Department of Welfare or Department of Public Assistance shall retain all retirement rights shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the Department of Health Department of Welfare and Department of Public Assistance had not been abolished

(d) All existing contracts and obligations of the Department of Health Department of Welfare and Department of Public Assistance shall remain in full force and effect and shall be performed by th Department of Health and Welfare

(e) The unexpended balance existing on the effective date of this act in any funds or appropriations of the Department of Health Department of Welfare and Department of Public Assistance is hereby transferred to the Department of Health and Welfare for the same purpose as expressed in any act creating or authorizing such funds or appropriations and any such unexpended balance also is hereby transferred to the Department of Health and Welfare for the payment of any bills or encumbrances incurred by the Department of Health Department of Welfare or Department of Public Assistance prior to and remaining unpaid on the effective date of this act

Section 16 The provisions of this act shall become effective on

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FROST. Mr. Speaker, this bill would abolish the present Health Department and it would set up in place thereof a combination of the present Departments of Welfare, Public Assistance and Health.

I am opposed to the measure principally for the three following reasons:

First, this is supposed to be an economy measure. Part of that economy is predicated upon the various local communities in which the state mental hospitals are located, the local communities taking over those hospitals.

I believe there is grave question as to whether any of the local communities will at any time be able to take over those state hospitals, and I believe, as I said, a portion of the savings—and I believe quite a large portion of the savings—is predicated upon such a possibility.

It is altogether possible that the overhead of such a combination if it were set up would cost the state more than it does to administer the three Departments now. Certainly before such a radical change is made in our state government, a more complete and profound study, I think, should be made of the question.

Second the primary function, I believe, of a state government is health. It is basic, I believe, to any other function of government basic even to education, is the health of the citizenry of the state. For that reason I think any state should aim at an independent, strong, virile Health Department, not coupled with any other division of government.

Third, two states, Maine and Missouri, have a Health Department combined with other divisions of government, and according to present standards set up by various health authorities, those two states stand at the bottom of the list of all of the states of the United States.

Those are the basic principles upon which I am opposing this bill. There are other things in the bill that, if it should pass, are not good. There are no provisions set up for the chief executive of the combined departments. He ought to be certainly a man of outstanding ability. There is nothing there as to what he should be, what his education should be, what his training should be. There is no civil service set up for the scientists and doctors of the division of health.

I think it is a poorly drawn bill as well as fundamentally poor in its principles.

Mr. SARRAF. Mr. Speaker, the Chesterman Committee attempted to do a good deed here, I am certain, but what they have enveloped and the loss to the state would be so tremendous, and the working of the department in a monetary sense would cost much more. Not only that, but the individual who would have the power over all these three set-ups in one would have to be somebody out of a book, because the qualifications would be tremendous. His budget and pay roll would be tremendous along with the reduced health program throughout the state as well as welfare.

The Chesterman Committee themselves and spokesmen for them or this bill admit that this will not do what they intended it to do. Of all their reports, this I feel, along with Senate Bill 329, is one of the poorest recommendations submitted to us and to our government.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—9

Bower,	Johnson,	Reagan,	Young,
Geer,	Kerlin,	Wilt,	Smith, C. C., Speaker
Hall,			

NAYS—164

Adam,	Flynn,	Lopresti,	Schmidt,
Alexander,	Frost,	Maguire,	Schwartz,
Amarando,	Gibson,	Mahan,	Scott,
Andrews,	Gleason,	Markley,	Seyler,
Ashton,	Glick,	Mathews,	Shoemaker,
Auker,	Gramlich,	Maxwell,	Shotwell,
Banker,	Greenwood,	McCann,	Snider,
Barkdoll,	Guss,	McCormack,	Spencer,
Baumunk,	Gutendorf,	McCullough,	Stank,

Bazin,	Guthrie,	McDermit,	Stimmel,
Bear,	Hamilton, W. H.,	McGee,	Stoner,
Bolton,	Harris,	McInroy,	Strausser,
Bomberger,	Haudenshield,	McWherter,	Sucher,
Boory,	Helm,	Mikula,	Taylor,
Breisch,	Hersch,	Miller,	Thomas,
Breth,	Hewitt,	Mills,	Toll,
Brown,	Hocker,	Moody,	Tompkins,
Bucchin,	Hoggard,	Moore,	Toomey,
Buchanan,	Ide,	Moran,	VanSant,
Bullen,	Jim,	Moscrip,	Varallo,
Capano,	Jones, Geo. E.,	Munley,	Varner,
Cianfrani,	Jones, Granle E.	Musto,	Vaughan,
Clapper,	Jones, Paul F.,	Needham,	Wall,
Comer,	Jones, T. H. W.,	Ogilvie,	Wallace,
Connelly,	Jump,	Parlante,	Walsh
Conner,	Kamyk,	Peta,	Wargo,
Coyle,	Keller,	Pfaff,	Waterhouse,
Curwood,	Kent,	Phillips,	Weidner,
Davis,	Kline,	Polaski,	Welsh,
Dougherty,	Kohl,	Polen,	Wescott,
Down,	Kolankiewicz,	Poltenstein,	Whalley,
Downey,	Kratz,	Price,	White,
DuBois,	Kromer,	Quisenberry,	Whitenight,
Dunn,	Kubacki,	Ragot,	Willaredt,
Erb,	Lafore,	Readinger,	Williams,
Ewing,	Lederer,	Reidenbach,	Wood,
Farabaugh,	Leisey,	Richter,	Worley,
Fenrich,	Leonard,	Rovansek,	Yeakel,
Ferster,	Leven,	Royer,	Yetzer,
Filo,	Light,	Rubin,	Zeitz,
Floyd,	Limper,	Sarraf,	Ziegler,

NOT VOTING—34

Blair,	Jenkins,	Murray, J. J.,	Schuster,
Boies,	Kornick,	Murray, P. G.,	Smith, W. B.,
Cioffi,	Lippincott,	Naugle,	Stevenson,
Cochran,	Lovett,	Olsen,	Stone,
Cooper,	Lutty,	Peifly,	Thompson,
Flack,	Metz,	Petrosky,	Verona,
Fleischman,	Mihm,	Pettigrew,	Watkins,
Goodling,	Monroe,	Rosen,	Wheeler,
Hamilton, R. K.,	Muldowney,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of Senate Bill No. 329, entitled:

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, since this bill depends upon the passage of Senate Bill 341, I move that it be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of Senate Bill No. 336, as follows:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania by making changes in the appointment and tenure of the Superintendent of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section eight of article four is hereby amended to read as follows

Section 8 He shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint a Secretary of the Commonwealth and an Attorney General during pleasure a Superintendent of Public Instruction for four years and such other officers of the Commonwealth as he is or may be authorizedby the Constitution or by law to appoint he shall have power to fill all vacancies that may happen in offices to which he may appoint during the recess of the Senate by granting commissions which shall expire at the end of their next session he shall have power to fill any vacancy that may happen during the recess of the Senate in the office of Auditor General State Treasurer Secretary of Internal Affairs or Superintendent of Public Instruction in a judicial office or in any other elective office which he is or may be authorized to fill if the vacancy shall happen during the session of the Senate the Governor shall nominate to the Senate before their final adjournment a proper person to fill said vacancy but in any such case of vacancy in an elective office a person shall be chosen to said office on the next election day appropriate to such office according to the provisions of this Constitution unless the vacancy shall happen within two calendar months immediately preceding such election day in which case the election for said office shall be held on the second succeeding election day appropriate to such office In acting on executive nominations the Senate shall sit with open doors and in confirming or rejecting the nominations of the Governor the vote shall be taken by yeas and nays and shall be entered on the journal

The General Assembly may impose restrictions on nominations for Superintendent of Public Instruction and may provide for his removal by the Governor for cause The term of the Superintendent of Public Instruction shall expire on the first day of July of the year in which the term of the Governor begins

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, do we have under consideration at this time Senate Bill 336, Printer's No. 353?

The SPEAKER. The gentleman is correct.

Mr. MORAN. May I ask to have somebody give me an outline of what the intention of this bill is?

Mr. HELM. Mr. Speaker, it changes the method of appointing the Superintendent of Public Instruction in that he would be appointed by the Governor to serve for a term from July 1 after he had been confirmed by the Senate.

I think there is nothing constructive to be gained by the enactment of this bill, because as the gentleman can see what would happen is we might possibly be in Session until June, and the man would be appointed July 1, and he would not be confirmed for a period of possibly 18 months.

Mr. SCHMIDT. May I interrogate the gentleman from Armstrong, Mr. Helm?

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. SCHMIDT. Does this bill not set up a procedure whereby there is submitted to the Governor a list of possible appointees to the office of Superintendent of

Public Instruction from which the Governor shall make his selection?

Mr. HELM. I believe that is right.

Mr. SCHMIDT. Is not the purpose of the submission of such a list an endeavor to make, as far as possible, the appointment a non-political appointment?

Mr. HELM. It possibly could be interpreted that way, Mr. Speaker.

Mr. SCHMIDT. Would not this bill be a bill that would meet with the favor of the general public because of the fact that the administration of education may be taken out of political administration?

Mr. HELM. Mr. Speaker, the Superintendent of Public Instruction can be removed today for cause. I can see how it might be a non-political appointment. The Superintendent of Public Instruction could possibly be a very inefficient superintendent. He could be in office for 18 months, and you could do nothing about it until the Legislature had a chance to confirm or not confirm him.

Mr. SCHMIDT. Mr. Speaker, it is my feeling that this bill is in the interest of education. I feel it is an endeavor and was an endeavor upon the part of the Chesterman Committee to arrive at some formula whereby the Governor may be able to appoint or should appoint someone competent to the office of Superintendent of Public Instruction and yet take away in some way the political tinge that is attached to such an appointment.

I recommend this bill highly to the House and ask its favorable reception.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—42

Adam,	Geer,	Ogilvie,	Welsh,
Ashton,	Hall,	Price,	Whalley,
Bolton,	Johnson,	Quisenberry,	White,
Bower,	Jones, Paul F.,	Reagan,	Willaredt,
Breth,	Jones, T. H. W.,	Richter,	Wilt,
Bucchin,	Kratz,	Sarraf,	Wood,
Dougherty,	Lafore,	Schmidt,	Worley,
DuBois,	McCormack,	Seyler,	Young,
Filo,	McWherter,	Thomas,	Smith, C. C., Speaker
Fleischman,	Moody,	Toll,	
Floyd,	Moscrip,	Walsh	

NAYS—119

Amarando,	Gibson,	Leisey,	Rubin,
Andrews,	Gleason,	Leven,	Scott,
Auker,	Glick,	Light,	Shoemaker,
Banker,	Gramlich,	Lopresti,	Shotwell,
Barkdoll,	Greenwood,	Mahan,	Snider,
Baumunk,	Guss,	Markley,	Spencer,
Bazin,	Gutendorf,	Mathews,	Stank,
Bear,	Guthrie,	Maxwell,	Stimmel,
Blair,	Hamilton, W. H.,	McCullough,	Stoner,
Bomberger,	Haudenshield,	McDermit,	Strausser,
Breisch,	Helm,	McGee,	Sucher,
Brown,	Hersch,	McInroy,	Taylor,
Buchanan,	Hewitt,	Mikula,	Tompkins,
Bullen,	Hocker,	Miller,	Toomey,
Capano,	Hoggard,	Mills,	VanSant,
Clapper,	Ide,	Moore,	Varallo,
Connelly,	Jim,	Moran,	Varner,
Conner,	Jones, Geo. E.,	Munley,	Vaughan,
Coyle,	Jones, Gran'le E.	Needham,	Wall,
Curwood,	Jump,	Parlante,	Wallace,
Davis,	Kamyk,	Pfaff,	Wargo,
Down,	Keller,	Phillips,	Waterhouse,
Downey,	Kent,	Polaski,	Weidner,
Dunn,	Kerlin,	Polen,	Wescott,
Erb,	Kline,	Poltenstein,	Whitenight,
Ewing,	Kohl,	Ragot,	Williams,
Farabaugh,	Kolankiewicz,	Readinger,	Yeakel,
Ferster,	Kromer,	Reidenbach,	Yetzer,
Flynn,	Kubacki,	Rovansek,	Ziegler,
Frost,	Lederer,	Royer,	

NOT VOTING—46

Alexander,	Harris,	Monroe,	Rosen,
Boles,	Jenkins,	Muldowney,	Schuster,
Boory,	Kornick,	Murray, J. J.,	Schwartz,
Cianfrani,	Leonard,	Murray, P. G.,	Smith, W. B.,
Cioffi,	Limper,	Musto,	Stevenson,
Cochran,	Lippincott,	Naugle,	Stone,
Comer,	Lovett,	Olsen,	Thompson,
Cooper,	Lutty,	Peifly,	Verona,
Fenrich,	Maguire,	Peta,	Watkins,
Flack,	McCann,	Petrosky,	Wheeler,
Goodling,	Metz,	Pettigrew,	Zeitz,
Hamilton, R. K.,	Mihm,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of Senate Bill No. 408, as follows:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards Boards of Trustees of the Mothers' assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended in whole by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * * *

(m) To bring suit against the relatives responsible by

law for the support or contribution to the support of any indigent person receiving assistance under the provisions of this act in accordance with the provisions of "The Support Law" or any other applicable laws of the Commonwealth

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, the record on the so-called Chesterman bills today has not been very favorable. But Senate Bill 408 is one that I think should pass. I had not intended to speak on it, thinking that it did not need any particular support, but I have received a telegram from a very esteemed gentleman in my community which indicates that there apparently is a lot of misunderstanding about this bill.

The telegram which I received asked for my opposition to it and to use my influence among my friends in opposing the bill, which is just exactly opposite to that which I am doing, and which I think I should do.

This bill simply amends the public assistance law by providing that the Department of Public Assistance shall have the power, and its duty shall be among other things, to bring suit against the relatives responsible by law for the support or contribution to the support of any indigent person receiving assistance under the provisions of the support law or the assistance law.

Under the present practice the Department of Public Assistance, in granting and giving assistance, say to a mother and children and so forth, would always inquire where the father is or the husband is. When the Department learns that the father has absconded and simply refuses and fails to support, the Department will require the mother to prosecute the father and bring him into court, and have the court make an order against the father if he is able to pay.

The same thing is true where children are able to support indigent parents and are not doing so.

All this bill does is state that the Department of Public Assistance may institute these actions. As the Chesterman Committee report points out, there are many cases where for one reason or another the mother or the father with children are reluctant to bring a prosecution against the other for the support to which they are entitled.

Why anybody should not want to vote for a bill of this kind is beyond me. The state of Pennsylvania steps in and helps people who are unable to help themselves financially, but it does not do so nor should it do so if there is a father or a child or a mother and a child who are financially able to help each other. Certainly not only the law requires children and parents to support each other, but all of our moral and religious background dictates that that is what we should do.

We know that in many cases it is not done. The Department of Public Assistance has on many occasions been accused of being lax in not going after the people who should be supporting their own relatives.

I think a lot of the misunderstanding about this bill arises from the fact that some people believe that brothers are legally responsible to support brothers and cousins and so forth, but that is not so. At one time the legal liability for the support of a relative extended to grandparents and to grandchildren. It has been about eight years since that law was changed and the only people who are now legally liable for each other's support are parents and children.

I say that there is no reason why this bill should not receive our support in order that the proper people will support those who need support, and it will not be done at taxpayers' expense except where it is necessary.

Mr. SARRAF. Mr. Speaker, the support law is already written. Anybody applying for relief today must show proof that they have no relatives who can help them in any manner. That is already on the books.

For your knowledge as I understand this, if that law is augmented by this wherein if in a certain length of time they do not go after their relatives who supposedly can assist them in some manner, I do not know the technicality in the legal procedure, but the state can enter that suit and try to collect money for the state.

I think the law as it is, is ample enough for citizens of our great state without embarrassing them that much further, and then maybe entailing the state itself to enter into more procedures.

Mr. ANDREWS. Mr. Speaker, as everyone acquainted with the operation of our public assistance law knows there are frequent instances where parents were able to support thirteen children, and then when the parents grew old the thirteen children were unwilling to support the parents. Under the present regulations unless the children bring action against the parents there is no relief.

I know of repeated cases in Cambria County where there are four children, everyone of the children making $600 a month. None of them have large families, but those four children cannot dig up enough money to support their old mother. In such a situation I say that the Department should have the power to intervene and go into court and require parents and children to acknowledge their mutual obligations.

There are too many mothers and fathers that are on relief when they have children amply able to care for their parents in their old age.

Mr. READINGER. Mr. Speaker, just one more word in relation to the comments of Mr. Sarraf.

This bill does not set up a new method by which we can collect money for the state. The orders that are made in court are not made to the Department of Public Assistance or for its benefit. Those orders are made against fathers, mothers, children for the support of each other by the court, and to the extent that those orders help to support that person, they relieve the taxpayer of the burden which is not rightfully the taxpayers' at all. It belongs to the family. But as you know there are many cases where somebody will try to avoid its responsibility. He does not like his wife, or she does not like the children, or the children do not like the parents. They will do everything they possibly can to avoid the responsibility which the law has placed on them.

I say we are making a mistake when we do not pass this bill. It is not going to upset the Commonwealth if it does not pass; it is not that important because the system that is now being followed is fairly satisfactory, but if there is one Chesterman recommendation which will

result in some savings, it is this, and it is morally and legally right to do it.

Mr. SARRAF. Mr. Speaker, I am very sorry, I realize the hour, but since these points were brought up, I do not know what they do in Cambria County or what they do in other counties, but let me give you a picture of what they do in Allegheny County.

When a person applies for assistance of any form one of the requests among numerous others, like their rent receipts, their insurance policies, various other items that are necessary and one of the most important is this, they want the name of the father if it is a child getting assistance; they want the name of the husband and children of these individuals applying, and then a form is sent to those individuals wherein they state the amount of money they make, plus whether they contribute in any manner to this individual applying for assistance. Now if they are unable to get to these people,—I have seen this actually happen in my district and I think it happens throughout Allegheny County, probably throughout the state,—the assistance in that home or in that place is held up until these support elements are protected in our Commonwealth and in our setup.

Where they learn later that an individual in the family—there may be an erroneous statement made and these must be Notarized—the visitor goes into that home and says "The next check will not be forthcoming; you must sue your father, mother or child." That is in the present day law, and invariably that check is cut until they show proof that they are going in to sue whoever can support this individual we are paying for, or which the government is giving us money for.

In the case of an old age recipient, as in the case of the blind, or dependent children, these people are all well taken care of under the Act as it exists. Now I am speaking for Allegheny County. If there are discrepancies or if this loss of money to our state is occuring in other counties, I can not speak for them. What I am outlining to you, is the setup of the Allegheny Board and it is the setup by your State Welfare Department and Relief Department. The exact terminology I do not know, but it is set up in that manner.

If you have these people that we are assisting going after the support from their relatives and honestly attempting to do it, I do not see how this bill's passage is going to augment our treasury to any great extent, except maybe it may bring out a chiseler or somebody that is embarrassing. If you know the relief visitors and you know the relief workers it is amazing, and I have experienced this, what little technicality will offset the check of a poor individual in this state of ours that we originally intended the relief for. I think they are given every opportunity to show that they are good citizens. I believe in most of these cases they sought the courts to get money because they are informed or they are instructed before they get their relief—all this procedure that I have told you about goes through and these visitors invariably go back to these people periodically, and especially where they get even a little hint or a suggestion as they walk down the street; they ask about Mrs. Jones and somebody does not like her, and she says so and so is living up there, and that is her stepfather or something, or that is a relative up there and they should sue them. The check automatically stops and those poor people are told "Go on in and sue."

Now what this does as I see it,—and if there is anybody that wants to correct me—is not only to have that on top of these people that you are assisting, but now you are going to get your Department to enter into a suit. I do not know whether it is going to involve a great loss of money and time to try to collect let us say—if anybody here has figures of how much they have been losing, if the Chestermen people can show us—I do not think it is worth your vote.

Here is a group of people getting assistance. You have got all the law you need in the steup, and to demand on top of it that if you do not in a certain time sue your father or mother or son which is what we have already asked you to do, and produce under Notary Public's affidavit, we are going to come in and force those people in some manner,—I do not know the exact terminology, but I do know that we have enough law on the books, and your Department knows it, where the individual receiving relief in any form can go to court and are made to go to court by our visitors.

This is intimate with me, because I am in an area where about 20 thousand people are on assistance. I know the embarrassment they go through because you have a very efficient and a good working system, there is no doubt about it. I have seen minor things being the cause of a poor family's check being delayed. I see that nothing more is going to be done by this but embarrassment, maybe make more work for them, and maybe more times in the court house and so forth, so I would vote against this one irrespective of all these would-be savings that are being portrayed here.

Mr. ANDREWS. Mr. Speaker, the eminent practitioner from Allegheny paints a beautiful picture. He manages to come out of the same hole he went into.

He is exactly right. The relief organization tells the parent "Your children should support you." The parent says "But they will not." The relief organization says "You sue them," but it does not have any power to start the court action itself, and the poor old mother when it comes to a matter of going into court and suing her children, she just does not do it. She suffers in silence. She does not want to go into court herself and announce to the world that she has children that will not contribute to her support, even though they are able to do so.

All this bill does is enable the Department to start original action, and then the court decides whether or not the children are in a position to support their poor old mother.

Mr. SARRAF. Mr. Speaker, I said that in Allegheny County the procedure that I outlined is true. Now if in Cambria County an old age recipient applies and the individuals in his county who have the right to grant this relief, are giving them the money and then telling them to sue, that is a different horse entirely.

I outlined the plan. I do not know what they do in Cambria, but if in Cambria they give these people relief, or in any other county, without doing as I told you they do in Allegheny County, then we need this law; there is no doubt probably. But as I see it in every county, and I think what this law is intended for is not for the original applicant at all, because in the original application those forms are sent to the relatives and they are asked

to be notarized whether they can help their mother or father or child.

That is in the support law of the state. That has been in the support law throughout the state for a long time. If this bill does anything, it is for one who is receiving assistance and they find out later that he had children or had a parent who can pay and they go and sue those people. Invariably in my county, they do not just come in and sue them and then keep on paying them. In my county they tell them to go and sue them and say "We are going to give you a week or two and if you do not sue then, you from then on do not get your check."

That is how it is right now, in case you people do not know how the setup is in the plan. So there is enough on these people without going to court with a case, and making a sad looking picture of paying anything or not paying or getting in to a hole or out of it. I am just stating the facts, there is no hole here. This is on the books; it is in the system.

If you want to put more work on the state, on your Welfare Department, if you want to put more work on the courts where they are enforcing the law, all you have to do, if you do not believe them, is to do as you do today, cut out their check. That is what is being done. That is general practice all over this state.

Mr. AUKER. Mr. Speaker, I feel this bill ought to have some statement from this side of the House. It is a good bill, which anyone knows who has been engaged in the practice of law, or has to do with support cases ever since the law was adopted under the Earle administration. I feel it was a mistake to ever adopt it and take it out of local home rule, because if there is one bill that has cost the taxpayers millions of dollars in money over a period of years—wasted money—it is this particular public assistance bill putting it in the hands of the state and taking it out of the hands of the local people back home.

However, again I probably will be one up on my colleague from Cambria, the gentleman from Cambria, Mr. Andrews, in that I am again forced to agree with him and also with the gentleman from Berks, Mr. Readinger.

I say to you, from my personal experience as a practicing attorney and having quite a bit to do with support cases, that it will save the Commonwealth a great many thousands of dollars over a period of years.

As to throwing an extra burden on the employes of the Public Assistance Department, I do not think anyone in the state is going to cry any tears that they might be forced to work a little harder and really earn their money that the taxpayers in the state are paying. Therefore, I urge my Republican colleagues to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—95

Adam,	Gibson,	Markley,	Strausser,
Andrews,	Gleason,	McCann,	Sucher,
Ashton,	Gramlich,	McInroy,	Thomas,
Auker,	Greenwood,	Mikula,	Tompkins,
Banker,	Gutendorf,	Miller,	Toomey,
Bolton,	Guthrie,	Moody,	VanSant,
Bomberger,	Hall,	Moore,	Varner,
Bower,	Haudenshield,	Moscrip,	Vaughan,
Brown,	Helm,	Ogilvie,	Wall,
Buchanan,	Hocker,	Polen,	Walsh
Capano,	Johnson,	Price,	Weidner,
Clapper,	Jones, Geo. E.,	Quisenberry,	Wescott,
Davis,	Jones, T. H. W.,	Ragot,	Whalley,
Down,	Jump,	Readinger,	Willaredt,
DuBois,	Keller,	Reagan,	Williams,
Dunn,	Kent,	Richter,	Wilt,
Ewing,	Kerlin,	Royer,	Wood,
Farabaugh,	Kratz,	Schmidt,	Worley,
Ferster,	Kromer,	Scott,	Yeakel,
Fleischman,	Lafore,	Shotwell,	Young,
Floyd,	Leisey,	Spencer,	Ziegler,
Flynn,	Light,	Stevenson,	Smith, C. C., Speaker
Frost,	Lopresti,	Stimmel,	
Geer,	Mahan,	Stoner,	

NAYS—58

Alexander,	Filo,	Maguire,	Polaski,
Amarando,	Glick,	Mathews,	Poltenstein,
Barkdoll,	Guss,	Maxwell,	Reidenbach,
Bazin,	Hamilton, W. H.,	McDermit,	Rovansek,
Bear,	Harris,	McGee,	Rubin,
Bucchin,	Hersch,	Mills,	Sarraf,
Bullen,	Jim,	Moran,	Stank,
Connelly,	Jones, Gran'le E.	Munley,	Taylor,
Conner,	Jones, Paul F.,	Musto,	Toll,
Coyle,	Kamyk,	Needham,	Varallo,
Curwood,	Kubacki,	Parlante,	Wallace,
Dougherty,	Lederer,	Peta,	Wargo,
Downey,	Leven,	Pfaff,	Welsh,
Erb,	Limper,	Phillips,	Whitenight,
Fenrich,			Yetzer,

NOT VOTING—54

Baumunk,	Hewitt,	McWherter,	Schwartz,
Blair,	Hoggard,	Metz,	Seyler,
Boles,	Ide,	Mihm,	Shoemaker,
Boory,	Jenkins,	Monroe,	Smith, W. B.,
Breisch,	Kline,	Muldowney,	Snider,
Breth,	Kohl,	Murray, J. J.,	Stone,
Cianfrani,	Kolankiewicz,	Murray, P. G.,	Thompson,
Cioffi,	Kornick,	Naugle,	Verona,
Cochran,	Leonard,	Olsen,	Waterhouse,
Comer,	Lippincott,	Peifly,	Watkins,
Cooper,	Lovett,	Petrosky,	Wheeler,
Flack,	Lutty,	Pettigrew,	White,
Goodling,	McCormack,	Rosen,	Zeitz,
Hamilton, R. K.,	McCullough,	Schuster,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE ON HOUSE BILL 1216

Mr. BOLTON. Mr. Speaker, I move that the vote by which House Bill No. 1216, Printer's No. 326, entitled:

"An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1929', by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters."

was defeated on final passage, June 11, 1953, be reconsidered.

Mr. KRATZ. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Bolton vote on the final passage of this bill?

Mr. BOLTON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Kratz vote on the final passage of this bill?

Mr. KRATZ. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. TOLL. Mr. Speaker, I want to call the attention of the Members of the House to the fact that when this was defeated on June 11th, only 66 Members of the House voted in favor of the bill, while 98 Members of the House voted against the bill.

I also want to call your attention to the fact that since 1929—this act proposes to amend the act of 1929—the Washington Park Commission has been separate and has been a departmental commission in the Department of Forests and Waters. It is now proposed to send it back to the Department. As it now stands the Secretary of the Department of Forests and Waters is an ex-officio member of this commission.

I want to call your attention to a statement contained in the Bulletin Almanac of 1953 concerning the size of Fairmount Park which contains close to 4 million acres. May I read you just two or three lines about Fort Washington Park, which is an extension of Fairmount Park northward along Wissahickon Creek owned by the state and administered by Fort Washington Park Commission that has 360 acres.

I, therefore, urge you to oppose this motion so that this Commission can continue to administer the 360 acres in connection with the administration of the largest city owned park in the world.

Mr. THOMAS H. W. JONES. Mr. Speaker, this bill has been recalled largely as a matter of principle with us. I think it has been largely misunderstood.

There was a statement made by the Minority Leader that this bill had been introduced largely as a political measure. At its inception, perhaps we were motivated by some political tendencies, but at the same time the bill which I had originally drawn to take care of this matter reposes in my desk. This particular bill, through a series of coincidences, is a Departmental bill. It has nothing to do with the wishes of Mongtomery County particularly, and instead of setting up a Commission to be composed of people from Philadelphia, the Commission is abolished and is put directly under the state.

As the gentleman said, Fort Washington Park consists of only 360 acres. I might add that the Fort Washington Park consists of lot of parcels of real estate which are not even continguous to one another. They stretch out along the bank of the creek and these parcels are many miles from any section of Fairmount Park.

I talked to the Secretary of Forests and Waters about this matter before this bill of his was introduced, and he is very much in favor of it. We were told today that the Fairmount Park Commission of Philadelphia itself—to which this thing is simply a useless appendage making it perfectly worthless to everybody—has no objection to the bill.

If possible, I would like this bill recalled on Mr. Bolton's and Mr. Kratz's motion and we can then, perhaps, debate it on final passage, if necessary. Or we can go forward now and debate it further here, but I think the motion is a good one and the bill should be brought back as a matter of principle.

I would like to say before I conclude, that the Secretary of Forests and Waters told me he thought he could make something out of this park. I think all of you who are interested in state parks will realize that the vast majority of state parks are way up in the central and northern parts of the state where they do the urban population of Philadelphia and Pittsburgh not very much good. He thought that he could take this park, which is specifically segregated from Fairmount Park, which in itself is sort of a useless proposition—he thought he could take it and make something out of it for the urban population of Philadelphia, Montgomery, Delaware and Bucks County. I think it is a worthy purpose and that the motion should be carried. The bill should be brought back and favorably considered.

On the question recurring.

Will the House agree to the motion?

The yeas and nays were required by Mr. HERSCH and Mr. McGEE and were as follows:

YEAS—80

Ashton,	Frost,	Kratz,	Spencer,
Auker,	Geer,	Kromer,	Stevenson,
Banker,	Gibson,	Lafore,	Stimmel,
Barkdoll,	Gleason,	Leisey,	Stoner,
Baumunk,	Gramlich,	Light,	Strausser,
Bear,	Greenwood,	Markley,	Sucher,
Bolton,	Guss,	Mathews,	Tompkins,
Bomberger,	Guthrie,	McInroy,	Toomey,
Breisch,	Hall,	Mikula,	VanSant,
Buchanan,	Hamilton, W. H.,	Moody,	Varner,
Bullen,	Haudenshield,	Moore,	Vaughan,
Clapper,	Helm,	Moscrip,	Wall,
Connelly,	Johnson,	Phillips,	Whalley,
Davis,	Jones, Geo. E.,	Price,	Willaredt,
Down,	Jones, T. H. W.,	Quisenberry,	Wilt,
DuBois,	Jump,	Reagan,	Wood,
Dunn,	Keller,	Richter,	Yeakel,
Ewing,	Kent,	Royer,	Young,
Ferster,	Kerlin,	Rubin,	Ziegler,
Fleischman,	Kohl,	Scott,	Smith, C. C., Speaker

NAYS—59

Adam,	Filo,	Limper,	Reidenbach,
Alexander,	Flynn,	Lopresti,	Rovansek,
Amarando,	Glick,	McCann,	Sarraf,
Andrews,	Harris,	McDermit,	Stank,
Bazin,	Hersch,	McGee,	Taylor,
Bucchin,	Hocker,	Moran,	Thomas,
Capano,	Jim,	Musto,	Toll,
Conner,	Jones, Granle E.,	Ogilvie,	Varallo,
Coyle,	Jones, Paul F.,	Parlante,	Walsh,
Curwood,	Kamyk,	Peta,	Welsh,
Dougherty,	Kolankiewicz,	Petrosky,	Whitenight,
Downey,	Kornick,	Pfaff,	Williams,
Erb,	Kubacki,	Polaski,	Worley,
Farabaugh,	Lederer,	Polen,	Yetzer,
Fenrich,	Leven,	Poltenstein,	

NOT VOTING—68

Blair,	Hoggard,	Mills,	Seyler,
Boles,	Ide,	Monroe,	Shoemaker,
Boory,	Jenkins,	Muldowney,	Shotwell,
Bower,	Kline,	Munley,	Smith, W. B.,
Breth,	Leonard,	Murray, J. J.,	Snider,
Brown,	Lippincott,	Murray, P. G.,	Stone,
Cianfrani,	Lovett,	Naugle,	Thompson,
Cioffi,	Lutty,	Needham,	Verona,
Cochran,	Maguire,	Olsen,	Wallace,
Comer,	Mahan,	Peifly,	Wargo,
Cooper,	Maxwell,	Pettigrew,	Waterhouse,
Flack,	McCormack,	Ragot,	Watkins,
Floyd,	McCullough,	Readinger,	Weidner,
Goodling,	McWherter,	Rosen,	Wescott,
Gutendorf,	Metz,	Schmidt,	Wheeler,
Hamilton, R. K.,	Mihm,	Schuster,	White,
Hewitt,	Miller,	Schwartz,	Zeitz,

So the question was determined in the affirmative and the motion was agreed to.

On the question recuring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BOLTON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Mr. Speaker, is it permissible with the consent of the House at this time to return to page 2 of today's calendar, House Bill No. 1140, Printer's No. 354?

The SPEAKER. For the information of the gentleman, it is permissible if the House will give its unanimous consent to do so.

Mr. AUKER. Mr. Speaker, I ask unanimous consent of the House to return to page 2 of today's calendar to make a brief statement and for the purpose of interrogating the sponsors of House Bill No. 1140, Printer's No. 354.

The SPEAKER. If the gentleman desires to address the House at this time or to make a brief statement the Chair is of the opinion that that might be the better procedure.

Mr. AUKER. Mr. Speaker, I merely desire to first interrogate any one of the sponsors of the bill, the Majority Floor Leader, the Minority Floor Leader—I don't care who—and after that, to make a brief statement concerning the bill, and I ask unanimous consent of the House for that purpose.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would ask unanimous consent of the House to interrogate any one of the sponsors of the bill, whichever one does not make any difference.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. JOHNSON. Mr. Speaker, as I understand it the principal sponsor of the bill, Representative Weidner, is in conference at the present time on this particular bill, together with the Representatives from Northumberland, Mr. Bower, and I believe any interrogation on this bill should be reserved until those particular gentlemen return to the Hall of the House.

Mr. AUKER. Mr. Speaker, I am sorry, but I cannot agree with the Majority Floor Leader. I have already talked with the sponsor of the bill, Mr. Weidner, the Chairman of that particular Committee. I talked with Mr. Bower, the gentleman from Northumberland, about this particular matter, so I will waive the interrogation and ask unanimous consent of the House to make a brief statement concerning the bill.

The SPEAKER. The gentleman will proceed.

Mr. AUKER. Mr. Speaker, this particular bill has been on the calendar for some four or five weeks. Under the Constitution of Pennsylvania the House of Representatives is mandated, by the word "shall," to reapportion the representative districts of the Commonwealth of Pennsylvania every 10 years, that is, after every federal census. Certainly I do not think anyone can take any particular credit that it has not been done heretofore and that we as Members of this House have not fulfilled our constitutional mandate.

I feel—this is my personal opinion however—that this bill has been on the calendar long enough. For whatever purpose it has been held on the calendar and by whom it has been held on the calendar I do not know, I have told the Chairman of the Committee, who is one of the sponsors of this bill and I have told Mr. Bower, the gentleman from Northumberland, that if this bill was not called up at the next Session of this Legislature, which possibly will be next week, that I shall exercise my right as a Member of this House and call the bill up. I am notifying all of the sponsors of this bill, and both the majority and minority leadership and whoever may be concerned in it, that I shall do just that.

The SPEAKER. The Chair recognizes the gentleman from Cambria. Mr. Andrews. For what purpose does the gentleman rise?

Mr. ANDREWS. Mr. Speaker, I rise to interrogate the gentleman from Blair who has departed from the camp. I thought we had him safely corralled.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKER. Mr. Speaker, I shall.

Mr. ANDREWS. Does the gentleman from Blair desire to call up the bill today?

Mr. AUKER. Mr. Speaker, I believe the gentleman will recall my statement. I said I would exercise my right as a Member of this House and call the bill up at the next Session of this House.

Mr. ANDREWS. Mr. Speaker, why not call it up at this Session?

Mr. AUKER. Mr. Speaker, there are all kinds of reasons why I might not desire to call it up at this particular Session.

Principally, one of them is to give every consideration and every motive, good or bad, to my fellow colleagues of the House who are in the process of consideration of working out whatever may be inequities of the bill or not inequities of the bill, I do not know, but purely and simply not to surprise anybody or to go over anybody's head, but just to give everyone due and proper notice and ample time that the bill will be called up at a certain specific time.

Mr. ANDREWS. I thank the gentleman, and I apperciate his discretion in not calling the bill today. It would be as easy to defeat it on second reading, you know, as it would be on third, and if the gentleman is eager to go to battle on the matter, we would welcome a vote today. Why delay? If the gentleman is in a bellicose mood, if he wants a vote on this bill, let us vote on it on second reading.

Mr. AUKER. Mr. Speaker, might I ask if the gentleman is interrogating me, or is he just making a statement for the benefit of the Press?

Mr. ANDREWS. No, I was just ventilating the gentleman's vanities.

RESOLUTION

CONGRATULATIONS

The MEMBERS OF THE RULES COMMITTEE, (The SPEAKER, Messrs. YEAKEL, BOWER, KENT, JOHNSON and HELM) offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, June 30, 1953.

How many years ago no one knows; and he himself is not telling. But today is his birthday.

With a steady hand on the helm he has guided this House through many a tempestuous parliamentary tangle,

back to the prevailing calm that permeates the friendly relationship of Members towards each other.

Unlike the prophet whose honor is unknown in his everyday environment, he is honored most by the Members of this House who are his constant associates, and who he has long served ably and extremely well.

But his renown is not limited to this House. He is recognized as the Nation's outstanding parliamentarian throughout all of the United States; therfore be it

Resolved, That the House of Representatives extend to "Eddie" Moore its heartiest congratulations on having reached another milestone, with the vigor of youth, the wisdom of age, and the geniality engendered by understanding of and sympathy for others—the attributes of a great man; and be it further

Resolved, That a cerified copy of this resolution be presented by the Chief Clerk to Hon. S. Edward Moore, our beloved Parliamentarian.

The SPEAKER. The Chair recognizes the Parliamentarian.

The PARLIAMENTARIAN (S. Edward Moore). Mr. Speaker, this surely has been a red letter day for me. I do not know how they discovered my birth date, but some how or other they did. I had a birthday cake and all the the fixings.

It has been said that after one has lived three score years, he has passed the period of adolescence and has reached the age of discretion. I hope it will work out that way in my case.

Most of those three score years have been spent here in this House with you. It has not seemed long because they have indeed been happy years.

I thank you from the bottom of my heart for being so thoughtful in remembering my birthday date.

The SPEAKER. The Chair congratulates the Parliamentarian and would say that it has taken years for us to find out how old the gentleman is. But perserverance has at last won out.

RESOLUTION

CONDOLENCE

Messrs. ZIEGLER, OGILVIE, HOCKER and MOODY offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, June 30, 1953.

Edward B. Habbyshaw, Jr., brother of Honorable William E. Habbyshaw, Chief Clerk of the House of Representatives, died suddenly on June 29, 1953.

He was born fifty-five years ago in Hummelstown, the son of the late Mr. and Mrs. Edward B. Habbyshaw, Sr. Upon graduation from Hummelstown High School he began work as an employe of the Reading Railroad.

Edward Habbyshaw was a man whose selfless character required him to extend a helping hand to all who needed aid and comfort. Upon retirement from the Reading Railroad, several years ago, he was named Director of the Dauphin County Institution District, a task he thoroughly enjoyed because of the satisfaction received from helping his fellow man.

His benevolent activities were not limited to a few isolated instances, but rather he was a member of numerous civic and religious organizations.

To each of these groups he dedicated a portion of his life in the earnest hope that through his efforts the entire Community and mankind itself would receive some benefit.

All who knew him, admired him for what he was, a man with a deep sense of responsibility to his fellow men, a man who was eager to help the helpless, one who placed love of his Nation above partisan politics and a man whose activities in life shall stand forever a monument to his name and to the pricipals for which he stood; therefore be it

Resolved, That the House of Representatives adopt this resolution as a tribute to Edward B. Habbyshaw, Jr., and to the high ideals exemplified in his life; and be it further

Resolved, That the chief clerk of the House of Representatives send a copy of this resolution to the family of Edward B. Habbyshaw, Jr.

ANNOUNCEMENT

The SPEAKER. For the information of the Members, Mr. Edward Habbyshaw's funeral will be held Thursday, July 2, at 2:00 p.m. at the Bowser Funeral Home in Hummelstown.

The viewing will be on Wednesday evening at the Bowser Funeral Home, Hummelstown, from 7:00 p.m. to 9:00 p.m.

RESOLUTION

Mr. WORLEY offered a resolution which was filed with the Clerk.

BILL ON FINAL PASSAGE

Mr. WILBUR H. HAMILTON asked and obtained unanimous consent to call up out of order House Bill No. 1203, Printer's No. 390 on page 7 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1203, as follows:

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes, authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by limiting the rate of tax permitted on transfers of title of real property.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WILBUR H. HAMILTON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. RUBIN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Hamilton vote on the third reading of this bill?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Rubin vote on the third reading of this bill?

Mr. RUBIN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "property" "and eliminating expired language."

Amend Sec. 1 (Sec. 1), page 2, line 12, by inserting a bracket before "or" and after "second".

Amend Sec. 1 (Sec. 1), page 2, line 16, by inserting a bracket before "or" and after "second".

Amend Sec. 1 (Sec. 1), page 3, line 10, by inserting a bracket before "or" and after "second".

Amend Sec. 1 (Sec. 1), page 3, line 10, by striking out the bracket before "here-"

Amend Sec. 1 (Sec. 1), page 3, line 15, by inserting a bracket before "and".

Amend Sec. 1 (Sec. 1), page 3, line 15, by inserting after "classes]" "class".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

ANNOUNCEMENT

Mr. JOHNSON. Mr. Speaker, I want to announce to the membership that on Monday this House will reconvene at 1:00 EST or 2:00 DST. We anticipate having a Call of the House next Monday, as I have previously stated.

ADJOURNMENT

Mr. MAGUIRE. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 1, 1953 at 12:01 a. m. EST.

The motion was agreed to, and (at 5:12 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., WEDNESDAY, JULY 1, 1953. No. 58.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 1, 1953

The House met at 12:01 a. m., EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend John Yates, Harrisburg, guest Chaplain, offered the following prayer:

Our Heavenly Father, So guide and prosper with Thy blessing whatever may be devised and enacted in this General Assembly that it may redound to the honor and welfare, to the peace and prosperity of this Commonwealth. Amen.

APPROVAL OF JOURNAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, June 30, 1953?

Mr. JOHNSON. Mr. Speaker, I move that the approval of the Journal for Tuesday, June 30, 1953 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. STANK. HOUSE BILL No. 1534.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by limiting the maximum length of trailers.

Referred to the Committee on Motor Vehicles.

By Mr. WESCOTT. HOUSE BILL No. 1535.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating the issuance of an operator's license.

Referred to the Committee on Motor Vehicles.

By Messrs. RICHTER and GEER. HOUSE BILL No. 1536.

An Act providing for the study of the problems of alcoholism; the treatment, commitment, rehabilitation and protection of persons addicted to the excessive use of alcoholic beverages; conferring powers and imposing duties upon the courts and the Department of Health; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. THOMAS and GEER. HOUSE BILL No. 1537.

An Act to further amend Subsection (b) of Section 2511.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the approval by the Department of Public Instruction of leases heretofore entered into by school districts with Municipality Authorities and non-profit corporations; prescribing the powers of the department as to such leases and the payment of reimbursement moneys to the school district and validating certain leases and approvals heretofore made.

Referred to the Committee on Education.

By Mr. THOMAS. HOUSE BILL No.1538.

An Act validating certain contracts entered into by Municipality Authorities for the construction of school projects without receiving separate bids and awarding separate contracts for heating and ventilating work.

Referred to the Committee on Municipal Corporations.

By Messrs. THOMAS and GEER. HOUSE BILL No. 1539.

An Act to amend Subsections A and D of Section 10 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by authorizing Authorities to reject any or all bids on contracts, validating the actions of Authorities and contracts heretofore awarded after the rejection of all the first set of bids, and clarifying the effect of certain contracts heretofore or hereafter made by an Authority in violation of certain provisions of the act.

Referred to the Committee on Municipal Corporations.

By Mr. KUBACKI. HOUSE BILL No. 1540.

An Act to add Section 709.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by penalizing the assault or striking of news reporters or news photographers or damage of a news photographer's photographic equipment while engaged in news coverage.

Referred to the Committee on Law and Order.

By Mr. DAVIS. HOUSE BILL No. 1541.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the provisions relating to issuance and display of registration plates.

Referred to the Committee on Motor Vehicles.

By Messrs. WELSH and McDERMIT. HOUSE BILL No. 1542.

An Act to amend the act, approved the twenty-third day of May, one thousand eight hundred eighty-seven (P. L. 164) entitled "An act to secure to laborers within this Commonwealth the benefit of the exemption laws of this Commonwealth, and to prevent assignment of claims for the purpose of securing their collection against laborers outside of this Commonwealth," by forbidding creditors to sue resident debtors of this Commonwealth in the courts of another state where the creditor, debtor, and intended garnishee are within the jurisdiction of the Pennsylvania courts and providing penalties.

Referred to the Committee on Judiciary.

By Mr. McGEE. HOUSE BILL No. 1543.

An Act fixing the jurisdiction of the court of quarter sessions in the city and county of Philadelphia as to the forfeiture of recognizances of bail in criminal cases.

Referred to the Committee on Judiciary.

By Messrs. RICHTER, SARRAF, PAUL F. JONES and VAUGHAN. HOUSE BILL No. 1544.

An Act to further amend Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for minimum reimbursement to school districts of the first class A.

Referred to the Committee on Education.

By Messrs. GUTENDORF and KOHL. HOUSE BILL No. 1545.

An Act to amend Section 7 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

Referred to the Committee on Counties.

By Messrs. JOHN J. MURRAY, JENKINS and THOMAS. HOUSE BILL No. 1546.

An Act to further amend the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled as amended "An act to provide for the safety of persons employed, housed, or assembled in certain buildings, and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists, except in cities of the first class and second class; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by providing for the posting of places of public assembly, the maximum number of persons who may assemble in such places and authorizing local enforcement.

Referred to the Committee on Labor Relations.

By Mr. JUMP. HOUSE BILL No. 1547.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of Pennsylvania by authorizing certain tax exemptions for persons on relief and certain aged persons.

Referred to the Committee on Municipal Corporations.

By Messrs. GIBSON and BOMBERGER.
HOUSE BILL No. 1548.

An Act to further amend subsection (a) of Section 10 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by authorizing the expenditure of moneys for the promotion of safety on roads, highways and bridges in certain counties.

Referred to the Committee on Highways.

By Messrs. STRAUSSER and DUNN.
HOUSE BILL No. 1549.

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by requiring all references to time on notices posted by the commission to be expressed both in Eastern Standard and Eastern Daylight Saving Time.

Referred to the Committee on Fisheries.

By Messrs. ZIEGLER and OGILVIE.
HOUSE BILL No. 1550.

An Act to amend subsection (a) of Section 411 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations and persons; providing for the regulation of public utilities including to a limited extent, municipalities engaging in public utility business, by prescribing, defining and limiting their duties, powers and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class, and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

Referred to the Committee on Public Utilities.

By Messrs. YETZER, CONNELLY and PETROSKY. HOUSE BILL No. 1551.

An Act providing for the regulation and licensing of horse racing and horse race meetings, other than harness racing or harnass racing meets, and all participants therein; legalizing and regulating the pari-mutuel or certificate method of wagering on the results thereof; creating the Pennsylvania Racing Board and prescribing its powers and duties; imposing a tax upon wagers, payable by those herein as licensees; and providing penalties.

Referred to the Committee on Law and Order.

By Messrs. YETZER, CONNELLY and PETROSKY. HOUSE BILL No. 1552.

An Act to regulate, license and tax harness racing and pari-mutuel betting at harness racing meets, and to provide penalties for the violation thereof.

Referred to the Committee on Law and Order.

By Mr. VAN SANT. HOUSE BILL No. 1553.

An Act to further amend Section 78 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the law as to who may attend the annual meetings of the state association of controllers.

Referred to the Committee on Counties.

By Messrs. WALSH, FILO, JENKINS, THOMAS, MORAN and JOHN J. MURRAY.
HOUSE BILL No. 1554.

An Act to amend subsection (a) of Section 2 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valua-

tion of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of tax in such counties; and prescribing penalties," by fixing the qualifications of one member of the Board of Property Assessment, Appeals and Review.

Referred to the Committee on Cities—Counties First-Second and Second Class. A.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. KUBACKI. RESOLUTION No. 70.

In the House of Representatives, June 30, 1953.

Whereas, The maintenance of a free economy depends upon the maintenance of a price structure within the means of the buying public; and

Whereas, A general rise in prices in a commodity used by a large portion of the buying public can adversely affect the general standard of living; and

Whereas, The unreasonable and unexplainable rise in prices of gasoline at this time when large amounts of gasoline are used by the public for vacation trips and for other recreational trips as well as for transportation to and from work, can seriously limit much needed use of automobiles by persons of limited financial resources; and

Whereas, Gasoline price rises at this time may be the result of conspiracies by large producers in order to profit from the needs of a defenseless public; therefore be it

Resolved, That the Department of the Auditor General is hereby directed to investigate the reasons for the recent rise in the price of gasoline and to report to this House of Representatives the results of such investigation.

Referred to the Committee on Rules.

By Messrs. DAVIS and GRAMLICH.
RESOLUTION No. 71.

In the House of Representatives, June 30, 1953.

The bridge spanning the Allegheny River in Tionesta Township, Forrest County is without an official name. It is known locally as the Hunter's Station Bridge because of the proximity of a similarly named railroad station.

At this historical point, a ferry was operated from the close of the eighteenth century until the Civil War by Eli Holman, and upon his death by his son Alexander Holman.

Alexander Holman, represented Venango County, in the General Assembly in 1840 and traveled the entire distance to and from the Capitol on foot.

During the War of 1812 the Ferry was a link in the waterford trail from Center County, over which were transported supplies and building material for the construction of Commodore Perry's victorious Lake Erie Fleet; therefore be it

Resolved, That the Department of Highways officially designate the bridge located on State Highway Route 62, spanning the Allegheny River three miles south of Tionesta, Tionesta Township, Forrest County, as the "Holman Ferry Bridge" and be it further

Resolved, That the Department of Highways erect suitable historical markers along the approaches to the bridge.

Referred to the Committee on Rules.

By Mr. WORLEY. RESOLUTION (Not Printed)

In the House of Representatives, June 30, 1953.

Pennsylvania and York in particular has lost one of its most useful and best loved citizens. Nevin D. Fahs is dead.

Nevin Fahs was born 56 years ago in York, the son of the late Mr. and Mrs. P. P. Fahs.

He was one of the best known sportsmen in southeastern Pennsylvania. His long association with athletics and especially with the valuable lessons to be learned from competition in sports, made him the logical man to revive local interest in amateur boxing. Under his guidance some of central Pennsylvania's finest matches and brightest stars were produced.

However bright his own achievements were in basketball and baseball circles, his greatest joy was found in guiding young men along the path of life, by instilling in them the principles of fair play and keen competition inherent in all sports.

Nevin Fahs was not content to circumscribe his ability by remaining wholly within the realm of athletics. He entered local politics and was a candidate for recorder of deeds in York County. In politics as in sports his goal was not to receive benefits, but to make available his own wealth of knowledge and talent to his community.

His death leaves a void in the sport, community and church activities of Central Pennsylvania. His life was devoted to improving the life into which he had so energetically catapulted himself. He was truly a man among men, one who will not be forgotten by the passage of time; now therefore be it

Resolved, That the House of Representatives adopt this resolution as a memorial to Nevin D. Fahs and to the splendid qualities of mankind personified in him; and be it further

Resolved, That the Clerk of the House of Representatievs send a copy of this resolution to the family of Nevin D. Fahs.

Referred to the Committee on Rules.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained permission to address the House.

Mr. Speaker, it behooves us to discover ways of organizing and directing government in ways that are both efficient and democratic. I realize that the task is difficult, but I refuse to believe that Pennsylvania genius is unequal to it.

We have had enough, indeed too much, mediocracy and incompetence in Washington and Harrisburg. This state has a large number of people trained in law, political science, and public administration; it has a body of citizens who are willing to support efficient and democratic government. What it needs is a willingness on the part of its leaders to mobilize the resources of this Commonwealth and put them to work by appointing able persons who are specially trained for government service instead of persons whose only qualifications are that they are a friend of a politician.

RESOLUTION

Mr. WORLEY offered a resolution which was filed with the Clerk.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that this House do now adjourn until Monday, July 6, 1953 at 1:00 p. m. EST.

The motion was agreed to, and (at 12:09 a. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, JULY 6, 1953. No. 59.

SENATE

MONDAY, July 6, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Our Father, we thank Thee for the privilege of meeting together again, and as we came through the showers of rain it reminded us that Thy showers of blessing are falling upon us constantly in this wonderful land of ours and in this wonderful State.

We pray that in our predicaments which we are facing here, some showers of wisdom of Thine may also fall upon us and guide us to solutions that shall be acceptable to all.

Guide us each day when service is called, whether it is from Thee or from our fellow man, that we may give the best that Thou hast given to us. We ask it in Thy Holy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. KEPHART asked and obtained leave of absence for himself from August 5 on, during the hay fever season.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SENATE BILL No. 410, PRINTER'S No. 129,
RETURNED WITHOUT APPROVAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 410, Printer's No. 129, entitled "An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March, one thousand nine hundred fifty-one (P. L. 28) entitled 'An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties' by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs."

This bill makes the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs.

The State Council of Civil Defense is a temporary organization which may be created and dissolved by the Governor by proclamation. It consists of the Governor, the Adjutant General, the Auditor General, the Secretary of Internal Affairs, the Legislative Representatives of both majority and minority parties of the General Assembly, as well as five citizens appointed by the Governor. It seems incongruous therefore to place this organization within the Department of Military Affairs under the Adjutant General. It is also to be noted that it is a civilian body, yet it is placed under the budgetary control of the Department of Military Affairs. This is contrary to long established and traditional policy in American government. Article I, Section 22 of our Constitution reads in part "the military shall in all cases and at all times be in strict subordination to the civil power."

The bill is not in accordance with the recommendations of the State Government Survey Committee Report. On page ST-6 that Committee said:

> "The Department of Military Affairs and the Civil Defense Council should be transferred to the proposed State Administration. The separate entities of these two agencies should be retained in their respective civilian and military functions with continued full cooperation between the two."

This bill would destroy the policy which the Survey Committee recommends should be continued.

The State Administration was to include the functions now located in five independent departments. See page Organ-7 of the Report. This legislation has not been enacted.

We know of no savings in money or personnel which would result if this bill became law.

The Department of Military Affairs is not sympathetic to the bill.

The Director of Civil Defense calls attention to the fact that a number of individuals have reported that there is a strong resentment to the bill because people believe that it would result in military control over civilian volunteers performing civilian duties.

For these reasons, the bill is not approved.

JOHN S. FINE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 165. PRINTER'S No. 237

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 165, Printer's No. 237, entitled "An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the 'World War II Veterans' Compensation Act of 1947."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 262, PRINTER'S No. 38

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 262, Printer's No. 38, entitled "An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended 'An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurace agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws' by continuing the provisions of that section in effect for a further period."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 292, PRINTER'S No. 123

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 292, Printer's No. 123, entitled "An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 299, PRINTER'S No. 117

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 299, Printer's No. 117, entitled "An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by changing certain qualifications of incorporators directors and trustees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 302, PRINTER'S No. 118

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 302, Printer's No. 118, entitled "An Act to amend section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filling thereof."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 312, PRINTER'S No. 196

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 312, Printer's No. 196, entitled "An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled 'An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters

providing for appeals and imposing penalties and making appropriations' by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 416, PRINTER'S No. 135

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 416, Printer's No. 135, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive department thereof and the administrative departments boards commissions and officers hereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 446, PRINTER'S No. 215

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 446, Printer's No. 215, entitled "An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by further regulating workmen's compensation and occupational disease insurance rates and changing the provision relating to such insurance as to policy requirements suits for premiums and annual reports."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 447, PRINTER'S No. 216

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 447, Printer's No. 216, entitled "An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled 'An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof' by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 465, PRINTER'S No. 242

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 465, Printer's No. 242, entitled "An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled 'An act relating to group life insurance describing permitting policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges' by increasing the permitted amount of insurance coverage in certain cases."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 501, PRINTER'S No. 206

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 501, Printer's No. 206, entitled "An Act to further amend Sections 307 and 1501 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commisison and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' by further providing for disbursements from the Historical Preservation Fund."

JOHN S. FINE.

COMMUNICATION FROM THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which

was read as follows, and referred to the Committee on Executive Nominations:

RECALLING NOMINATION OF MRS. SARAH K. EVANS AS JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In acordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 23, 1953, for the appointment of Mrs. Sarah K. Evans, Herminie, Westmoreland County, as Justice of the Peace in and for the Township of Sewickley, Westmoreland County, until the first Monday of January 1956, vice Adrian R. Newhouse, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF STATE VETERANS' COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Perry A. Jones, Commander, Department of Pennsylvania, United Spanish War Veterans, 7008 Willard Street, Pittsburgh, Allegheny County, for appointment as a member of the State Veterans' Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, vice Frank A. French, Latrobe, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, COALDALE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Kleckner, 229 Rowe Street, Tamaqua, Schuylkill County, for reappointment as a member of the Board of Trustees of Coaldale State Hospital, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Millersville State Teachers' College, until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified:

Hon. Guy K. Bard, Route 2, Ephrata, Lancaster County.

George S. Mann, Millersville, Lancaster County.

Lewis Shoemaker, Kirkwood, Lancaster County.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES, THADDEUS STEVENS TRADE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Thaddeus Stevens Trade School:

Hon. Chester M. Woolworth, 1 Jackson Drive, Lancaster, Lancaster County, until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified.

William E. Ix, 1043 Buchanan Avenue, Lancaster, Lancaster County, until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified.

Louis B. Bond, Christiana, Lancaster County, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

Clifford J. Backstrand, 1034 Woods Avenue, Lancaster, Lancaster County, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

B. W. Luttenberger, 123 Race Avenue, Lancaster, Lancaster County, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBERS OF LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lancaster County Board of Assistance.

A. H. Burkholder (Republican), Quarryville, Lancaster County, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Rev. George Shea, Quarryville, whose term expired.

Mrs. Maude Frantz Draper (Republican), 232 East Orange Street, Lancaster, Lancaster County, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice W. Douglas Darmstaetter, Lancaster, whose term expired.

Mrs. Carey Foltz (Democrat), 506 Wilson Drive, Lancaster, Lancaster County, to serve until December 31, 1954. (Reappointment)

Dr. V. W. Dippell (Republican), 520 President Avenue, Lancaster, Lancaster County, to serve until December 31, 1955. (Reappointment)

Mrs. Irene R. Weidman (Republican), 113 East Main Street, Ephrata, Lancaster County, to serve until December 31, 1954, and until her successor is duly appointed and qualified. (Reappointment)

JOHN S. FINE.

MEMBER OF STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Catherine E. Drumm, Educational Director, School of Nursing, Geisinger Memorial Hospital, Danville, Montour County, for appointment as a member of the State Board of Nurse Examiners, for the term of six years, and until

her successor is appointed and qualified, vice Miss Edith D. Payne, Pittsburgh, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, KUTZTOWN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Bertolet, Esq., 1030 Terrace Avenue, Wyomissing, Berks County, for appointment as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January, 1957, and until his successor shall have been appointed and qualified, vice George W. Giles, Reading, whose term expired.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, SCOTLAND SCHOOL FOR VETERANS' CHILDREN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Ruth Miller Steese, 526 Chestnut Street, Mifflinburg, Union County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John W. Hinebauch, 47 Stroh Avenue, Sunbury, Northumberland County, for appointment as Alderman in and for the Second Ward of the City of Sunbury, Northumberland County, until the first Monday of January 1954, vice Clyde M. Smith, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert A. Dale, R. D. No. 1, Wilkes-Barre, Luzerne County, for appointment as Justice of the Peace in and for the Township of Bear Creek, Luzerne County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond G. Burk, North Washington, Butler County, for appointment as Justice of the Peace in and for the Township of Washington, Butler County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC AND COMMISSIONER OF DEEDS

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public and Commissioner of Deeds.

CONSIDERATION OF NOTARIES PUBLIC AND COMMISSIONER OF DEEDS

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public and Commissioner of Deeds, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on July 6, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Sally Compbell, Pittsburgh, 909 Berger Bldg., (19).
Miss D. M. Collier, Pittsburgh, Baum Blvd. at Liberty Ave. (24).
Mrs. Marie S. Emeigh, Shaler Twp., Glenshaw.
V. B. Higgins, Pittsburgh, 215 North Highland Ave. (6).
William O. Mulligan, Pittsburgh, 5 Virginia Ave. (11).
Mrs. Amy H. Penkau, Ben Avon, Pgh. 2.

CARBON COUNTY

Mrs. Marie S. Durnin, Lansford.

CRAWFORD COUNTY

Richard M. Muscaro, Meadville.
John V. Pepicelli, Meadville.

DAUPHIN COUNTY

Mrs. Emma F. Pentz, Harrisburg.
Verne S. Ressler, Harrisburg.

DELAWARE COUNTY

Mrs. Mary W. Meade, Lower Merion Twp., Ardmore.
Miss Lola Syester, Chester.

ERIE COUNTY

Mrs. Harriet Bliss, Lawrence Park Twp., Erie.
Edward W. Metzger, Erie.

LANCASTER COUNTY

Miss Elizabeth P. Griffith, Lancaster.

LUZERNE COUNTY

J. F. Besecker, Dallas.
Mrs. Lenoir L. Reese, Wilkes-Barre.

McKEAN COUNTY

John F. Harten, Bradford.
William F. Potter, Smethport.

MONTGOMERY COUNTY

John J. Meade, West Pottsgrove Twp., Stowe.
Herbert C. Nelson, Lower Merion Twp., Ardmore.

NORTHAMPTON COUNTY

John C. Kuhn, Jr., Palmer Twp., Easton.

NORTHUMBERLAND COUNTY

Miss Helen M. Strausser, Sunbury.

PHILADELPHIA COUNTY

Samuel Arenson, 1451 North 31st St. (21).
Mrs. Nicolina E. Babyak, 460 E. Walnut Lane (44).
Miss Bertha Benovitz, 4925 N. Franklin St. (20).
Miss Hilda Mandel, 229 North 60th St. (39).
Raymond H. Miller, Jr., 217 W. Chelten Ave.
Miss Mary T. Sheehan, 1530 Spring Garden St. (1).
Hyman Stein, 5539 Chestnut St.
Mrs. Kathryn F. Young, 5621 Musgrave St. (44).

PIKE COUNTY

Gale H. Ewbank, Matamoras.

SOMERSET COUNTY

Calvin M. Sipple, Somerset Twp., Somerset.

TIOGA COUNTY

Harold V. Manley, Osceola Twp., Osceola.

VENANGO COUNTY

W. K. McQuiston, Emlenton.
Miss Helen M. Olson, Oil City.

WASHINGTON COUNTY

Mrs. Ruth C. Dunbar, West Brownsville.
Mrs. Hilda A. Masquelier, McDonald.

WESTMORELAND COUNTY

Howard B. Speer, Sewickley Twp., Lowber.

JOHN S. FINE.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Rachel Elizabeth Smith, 24 Edmund Street, Hartford, Connecticut, for reappointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of Connecticut, for the term of five years, to compute from the date of confirmation.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1152

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 30, 1953.

Resolved, (If the Senate concur), That House Bill No. 1152, Printer's No. 388, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 199 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Boards," by making certain changes in the grievance procedure provided for in the act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 359 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 359, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners in certain counties of the eighth class.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 528 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 30, entitled:

An Act to amend section 464 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manfacturing purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain licenses fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating appeals and providing for appeals from the Superior Court to the Supreme Court

Which was committed to the Committee on Law and Order.

House Bill No. 641, entitled:

An Act to further amend subsection (e) of Section 628 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by increasing the fees for registration of firearms.

Which was committed to the Committee on Judiciary General.

House Bill No. 789, entitled:

An Act to add section 54.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing that bonds of county officers and employes shall protect against loss of money by robbery and burglary and requiring the county to pay the cost of such bonds.

Which was committed to the Committee on Local Government.

House Bill No. 900, entitled:

An Act to add section 3.1 to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certificates to be issued upon payment of tax, be attached to windshields and providing penalties.

Which was committed to the Committee on Finance.

House Bill No. 1098, entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

Which was committed to the Committee on Finance.

House Bill No. 1204, entitled:

An Act to amend Section 1 of the act approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 131), entitled "An act requiring cities of the second Class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year, except in emergency cases," by further regulating minimum vacation periods.

Which was committed to the Committee on Local Government.

House Bill No. 1297, entitled:

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, association, or persons; restricting the exercise of banking powers by any other corporation, asosciation, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing foreign banking institutions to conduct certain business and enforce certain rights in this Commonwealth.

Which was committed to the Committee on Banking.

House Bill No. 1330, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue.

Which was committed to the Committee on Highways.

House Bill No. 1415, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees.

Which was committed to the Committee on Highways.

House Bill No. 1505, entitled:

An Act to amend the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1565), entitled "An act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled 'An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau,' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations," by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular sesson beyond the fifteenth day of June, one thousand nine hundred fifty-three and each regular session thereafter.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL No. 63

He also returned to the Senate, Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 258

He also returned to the Senate, Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by redefining the term, share certificate, and further providing for the issuance and preservation of share certificates

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 259

He also returned to the Senate, Senate Bill No. 259, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 260

He also returned to the Senate, Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 282

He also returned to the Senate, Senate Bill No. 282, entitled:

An Act to further amend Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by limiting the use of tractors of the second class

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 563

He also returned to the Senate, Senate Bill No. 563, entitled:

An Act to further amend the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing Penalties" by imposing duties on the city controller and allowing appeals from audits or settlement of accounts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 589

He also returned to the Senate, Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 597

He also returned to the Senate, Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of such pensions," by extending the benefits to certain authorities created by such cities.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of section 1208, and section 1209 of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking asosciations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments of savings banks.

Senate Bill No. 216, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provisions of the act and changing the date on which the period of redemption commences to run on tax claims.

Senate Bill No. 217, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivisions affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

Senate Bill No. 218, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidatng building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

Senate Bill No. 228, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Senate Bill No. 259, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights, powers, duties, liabilities, and immunities of such associations and of thier directors and shareholders; and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," by further providing for the issuance of share accounts to minors and validating their acquittances.

Senate Bill No. 282, entitled:

An Act to further amend Section 607 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled, as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by limiting the use of tractors of the second class.

Senate Bill No. 322, entitled:

An Act to amend the title and sections 1 and 2 of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof," by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses.

Senate Bill No. 325, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333)

entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public officers occurring under condidtions for which said election code does not prescribe machinery

Senate Bill No. 349, entitled:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioners and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

Senate Bill No. 525, entitled:

An Act to amend the title and the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation

Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships.

Senate Bill No. 563, entitled:

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" by increasing fees to be charged

Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by extending the benefits to certain authorities created by such cities.

House Bill No. 965, entitled:

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties.

House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second clas sand amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

House Bill No. 1271, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by requiring bonding companies as sureties on bonds of tax collectors.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

GENERAL COMMUNICATIONS

The Chair cleared his table and laid before the Senate the following communications, which were read by the Clerk:

James H. Duff
Pennsylvania

G. H. Lush,
Administrative Assistant
David Fuss
Executive Secretary

UNITED STATES SENATE
Washington, D. C.

June 26, 1953.

Honorable G. Harold Watkins, Secretary
Senate of Pennsylvania
Harrisburg, Pennsylvania

Dear Harold:

A meeting was held in my office this morning, June 26, for the purpose of reviewing the entire situation rela-

tive to the award by the Department of the Army of a contract for the manufacture of gas masks to The Firestone Tire and Rubber Company at Falls River, Massachusetts. This is the subject matter of the Resolution adopted by the Senate of Pennsylvania on June 8, 1953.

Present at this meeting were representatives of the Pennsylvania Congressional Delegation including Congressmen Leon H. Gavin, Paul B. Dague and John P. Saylor and a representative of Senator Edward Martin.

By written communication Honorable Lindsay C. Warren, Comptroller General of the United States, had been urged to make a complete investigation and review on the basis of law and equity of the Department of the Army's award of the contract. It had also been requested that the Department of the Army refrain from implementing the performance of the alleged contract pending the ultimate determination of the question involved.

In view of this past action, it was the sense of all present at the meeting that the decision of the Comptroller General be awaited prior to considering further action, if necessary.

Sincerely yours,

(s) James H. Duff
James H. Duff

EARL CHUDOFF
Fourth District, Pennsylvania

Committee:
Government Operations

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C.

June 25, 1953.

Hon. G. Harold Watkins
Secretary of the Senate of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Watkins:

As a result of receiving the resolution passed in the Senate of Pennsylvania on June 8, 1953, concerning the awarding of a gas mask contract to the Firestone Tire and Rubber Company, Falls River, Masachusetts, in spite of the fact that the Pennsylvania Rubber Company was low bidder, I am enclosing herewith a copy of a communication I have this day received from T. A. Young, Special Assistant to the Secretary of the Army. I would appreciate hearing from you as to your reaction to the contents of this letter.

With kindest personal regards, I am

Sincerely yours,

(s) Earl Chudoff
Earl Chudoff, M.C.

DEPARTMENT OF THE ARMY
OFFICER OF THE SECRETARY OF THE ARMY
WASHINGTON 25, D. C.

June 24, 1953.

Honorable Earl Chudoff
House of Representatives

Dear Mr. Chudoff:

Permit me to refer to your letter, addressed to General Horkan, inclosing a Resolution adopted by the Senate of Pennsylvania concerning the procurement of gas masks by the Department of the Army.

In order that you may have full and complete information concerning this procurement, I should like to outline for you a chronology of events leading up to the award of this contract to the Firestone Company of Fall River, Massachusetts.

On February 27, 1953, proposals were sent to both the Firestone Company of Fall River, Massachusetts, and the Pennsylvania Rubber Company of Jeannette, Pennsylvania.

On April 3, 1953, the Pennsylvania Rubber Company and the Firestone Company submitted tentative proposals.

On April 22, 1953, a formal conference was held with the Firestone Company.

On April 23, 1953, a formal conference was held with the Pennsylvania Rubber Company.

On May 6, 1953, the Pennsylvania Rubber Company submitted a formal proposal.

On May 8, 1953, the Firestone Company submitted a formal proposal.

The Firestone Company submitted a higher proposal; however, it was within 20% of the low bid submitted by the Pennsylvania Rubber Company. Therefore, and in line with the Office of Defense Mobilization policies, consideration was given to the labor surplus group that each of those localities were in. Fall River, Massachusetts, was in Group III Labor Surplus Area. In view of this fact and again in line with Defense Mobilization policies, negotiations were continued with the Firestone Company in an effort to determine whether that company could meet the low bid.

On May 26, 1953, the Firestone Company verbally advised the contracting officer in Boston, Massachusetts, that they would meet the low bid. Accordingly, on that same date, May 26, the contracting officer verbally informed the Firestone Company that their bid had been accepted. This was confirmed by teletype the same date.

On May 29, 1953, the Office of Defense Mobilization advised the Office, Secretary of Defense, verbally and confirmed in writing on the same date that Fall River, Massachusetts, had been recertified as a Group III Labor Surplus Area, effective May 28, 1953.

The Department of the Army, after receiving correspondence relative to this contract and being unaware of the formal commitment made by the contracting officer, looked into the feasibility of reconsidering the award of the contract. In looking into this matter it was determined that a firm commitment had been made to the Firestone Company by the contracting officer on May 26, 1953, as indicated above. This commitment was made prior to the notification from the Office of Defense Mobilization that Fall River, Massachusetts, was recertified from Group IV Labor Surplus Area to Group III Labor Surplus Area.

In view of the foregoing, it is the opinion of the Department of the Army that as of the date the firm commitment was made on May 26, 1953, by the contracting officer, Fall River, Massachusetts, was in Category IV Labor Surplus Area. Therefore, the Department has no recourse but to allow the award to the Firestone Company.

Your interest in this matter is appreciated and I regret that it is not possible to furnish you a more favorable reply. However, I trust that the foregoing report will enable you to more readily understand the Department's position in this regard.

Sincerely yours,

T. A. Young,
Special Assistant

REPORTS FROM COMMITTEES

Mr. FLEMING, from the Committee on Elections, reported as committed House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominating of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by increasing the minimum compensation payable to judges of election in third to eighth class counties.

He also, from the Committee on Elections, reported as committed Senate Bill No. 463, entitled:

An Act to further amend subsection (b) of section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the composition of the return board and imposing duties on county solicitors.

BILLS INTRODUCED AND REFERRED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 714, entitled:

An Act to further amend clause (1) of subsection (d) of Section 3 and subsection (a) of Section 205 of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by classifying the position of Executive Director of the Civil Service Commission as a classified service and giving the director the status of a regular employe.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 715, entitled:

An Act to further amend Section 452 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further changing the provisions relating to the maximum compensation of the State Civil Service Commission.

Which was committed to the Committee on State Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 716, entitled:

An Act to amend Section 703 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections, by further providing for the retention of voting residence by public employes.

Which was committed to the Committee on Elections.

Mr. BLASS (By request) read in his place and presented to the Chair Senate Bill No. 717, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by empowering boroughs to regulate the boarding of families or persons.

Which was committed to the Committee on Local Government.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 718, entitled:

An Act to amend section 638 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by authorizing the exposure of poison to rodents and other pests under certain conditions; and conferring powers and imposing duties upon the Secretary of Agriculture.

Which was committed to the Committee on Judiciary General.

Mr. SILVERT (By request) read in his place and presented to the Chair Senate Bill No. 719, entitled:

An Act to further amend Section 801 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." by providing that a change of address of the registered office may be done simultaneously with amendment of articles.

Which was committed to the Committee on Corporations.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 720, entitled:

An Act to amend Section 1404 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing penalties for authorizing, conducting, or assisting in medical and dental examinations of school children, teachers and employes at a rate in excess of the rate provided by law.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 721, entitled:

An Act to further amend Section 2 of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by changing the tax rate on property transferred to lineal descendants of adopted children.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 722, entitled:

An Act to reenact and further amend Subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that rcords are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for certain exemptions from fees charged for certificates of title and registration of motor vehicles.

Which was committed to the Committee on Highways.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 723, entitled:

An Act to amend Clause (d) of Section 603 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by requiring that the description for the assessment roll of real property located in any city or borough which makes separate assessments be the same as that used by the city or borough.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 724, entitled:

An Act providing an optional method for the joint assessment and valuation of persons and property for school and city or borough tax purposes by school districts of the second, third and fourth classes, coextensive with or within cities and boroughs and such cities and boroughs.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 725, entitled:

An Act to reenact and further amend Section 7 of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, townships, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by requiring that the description for the assessment roll of real property located in any city or borough which makes separate assessments be the same as that used by the city or borough.

Which was committed to the Committee on Local Government.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 726, entitled:

An Act to establish as a State Highway, certain sections of public road in the county of Cambria.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, on behalf of Senator Wagner and myself, I am presenting a bill which is the regular biennial appropriation for the Department of Mines to carry out the purposes of the Mine Sealing Act.

Mr. President, what I do want to say is that at the present time we hope this bill can be acted on rather speedily because the Department's funds, of course, have been expended for the past biennium. This is important particularly to the people of Scranton and Lackawanna County because of a mine fire which has broken out up there in the past month or so, which has presented a very serious danger to property and to human life.

In passing, Mr. President, I do want to compliment both the Governor, the Honorable John S. Fine, and the Secretary of Mines, William Clements, for the prompt action the Department of Mines has taken with the equipment and funds available, once the seriousness of the situation was fully presented to them.

BILLS INTRODUCED AND REFERRED

Messrs. McMENAMIN and WAGNER read in place and presented to the Chair Senate Bill No. 727, entitled:

An Act making an appropriation to the Department of Mines for the sealing and dewatering of and extinguishment of fires in abandoned coal mines.

Which was committed to the Committee on Appropriations.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 728, entitled:

An Act to amend Section 301 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for the election of school directors.

Which was committed to the Committee on Education.

Messrs. TOOLE, DENT and HOLLAND read in place and presented to the Chair Senate Bill No. 729, entitled:

An Act to repeal the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1161) entitled "An act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employes which cause or threaten to cause strikes, lockouts, slowdowns, or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utility services; and providing means, including regulations, affecting the rights, powers and privileges of employers and employes for the enforcement of such public policy, and providing penalties."

Which was committed to the Committee on Labor and and Industry.

They also read in place and presented to the Chair Senate Bill No. 730, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existting and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further regulating eligibility for compensation.

Which was committed to the Committee on Labor and and Industry.

Messrs. HOLLAND and DENT read in place and presented to the Chair Senate Bill No. 731, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of Section 4 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by including services of industrial insurance agents within the definition of employment.

Which was committed to the Committee on Labor and and Industry.

Messrs. HOLLAND, DENT and McMENAMIN read in place and presented to the Chair Senate Bill No. 732, entitled:

An Act to further amend subsection (a) of Section 3 of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by prohibiting the working of women for more than six consecutive days without at least one day of rest.

Which was committed to the Committee on Labor and and Industry.

Messrs. TOOLE, DENT and HOLLAND read in place and presented to the Chair Senate Bill No. 733, entitled:

An Act to further amend Clause (b) of Section 402 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to providing moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing that the separation of an employe at age sixty or thereafter pursuant to a pension plan shall be deemed a separation for good cause.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 734, entitled:

An Act to further amend Section 402 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining employes' eligibility for compensation.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 735, entitled:

An Act to further amend Section 4 of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by removing certain exceptions to the application of the act.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 736, entitled:

An Act to repeal the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board."

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 737, entitled:

An Act to further amend subsection (c) of section three of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board Officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court, providing for service of papers and process of the board; prescribing certain penalties," by further defining employer.

Which was committed to the Committee on Labor and Industry.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 738, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing a certain route in Westmoreland County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 739, entitled:

An Act to further amend the Title, Section 204 and subsection (a) of Section 301, and to repeal Sections 302, 303, and 304 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by making the schedules of compensation compulsory upon all employers.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 740, entitled:

An Act to further amend clause (i) of Section 2320 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further providing for financial assistance to persons with defective vision.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 741, entitled:

An Act to amend Section 55 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by making court decrees involving divorce, separation and annulment interlocutory until affirmed by appellate courts or the expiration of the appeal period where no appeal was taken.

Which was commtted to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I have prepared, with the help of Senator Holland, Senator Watkins and Senator Wood, after some discussion, two sets of bills. This morning, when I arrived in Harrisburg, I received the following telegram from a man who is a total stranger to me:

"State Capitol
"Harrisburg, Pennsylvania"

The telegram is postdated today and it comes from Mechanicsburg, Pennsylvania.

"Honorable John H. Dent
"Request your support in the introduction of a bill to permit pari mutuel betting in the State of Pennsylvania. I am sure that a State referendum would approve of this. Why should we let this revenue go to other States?
"Spencer Kraybill
"Mechanicsburg, Cumberland County, Pennsylvania"

Mr. President, a good many years ago, when I was serving my first term, I introduced a bill, co-sponsored by Representative Baldi, and I believe the same bill was co-sponsored in the Senate by Senator Bernard McGinnis and Senator Max Aron, of Philadelphia. This was back in 1935. The bill passed the House, came over to the Senate and passed the Senate on third reading.

Mr. President, after it passed the Senate on third reading, a Member of the Senate called attention to the fact that there was a misspelled word somewhere in the bill and, therefore, the bill laid over for correction and final passage. On third reading they had twenty-six votes, including one of the co-sponsors, Max Aron, I believe, from Philadelphia. Overnight, Max disappeared and we only had twenty-five votes, so the bill died.

Mr. President and Members of this Senate, at that time I remember distinctly on the floor of the Senate making these remarks. I said then that Pennsylvania, within the next decade, if it did not pass this legislation, would find itself an island surrounded by racing States. Those of us who realizes the problems of the Commonwealth become more and more tangled every year, the question of revenue becomes more acute every year and those of us who are willing to face the actual facts realize that Pennsylvania is losing millions of dollars in revenue because of the illegitimacy of the horse race betting in this Commonwealth, which improves the conditions of only a select group of citizens at the expense of the rest of the Commonwealth.

Mr. President, recently, while in Philadelphia, I stopped at the North Philadelphia Station and there, for all to see and to take, were certain circulars put out by the Pennsylvania Railroad. I took one of them out of curiosity, and read the schedule that they provide very conveniently for all of those who want to go out of the State and spend their money at the race tracks. They run special trains to the neighboring States to haul our Pennsylvania dollars. If you go to Waterford, in West Virginia, or any of the tracks in West Virginia and Ohio, you will find that the greater number of automobiles are licensed with Pennsylvania license plates. This State has long been the home of the greatest harness racing stock the world has ever seen. This State is famed throughout the history of racing as being the birthplace of some of the most famous of all running horses; notably, of course, is Man-o'-War. This State of ours is a great State. However, you never hear anything about the "Pennsylvania Handicap" or the "Philadelphia Derby" or the "Harrisburg Steeplechase."

Mr. President, we, in Pennsylvania, must realize this. The people who live in our neighboring States are no greater sinners than we are as a group. As many of them and more, I guess, will go to heaven than there will of

us. I see no harm and I am not a betting man—my few bets which I have made in my entire life could be totaled up on the two hands of any man's body. I do not know enough about betting, but I do know something about bettors. One thing that I found out about bettors is that they will go where they can place a bet.

Mr. President, we are in dire need in this State. In 1947, I offered a referendum bill to this Commonwealth to see whether or not we could pay the soldiers' bonus. It was rejected. What is wrong with letting the people of Pennsylvania decide whether or not they are big enough to stay away from the tracks if they want to and strong enough to go if they want to? Prohibition proved to be a miserable failure in this Country because it was not the will of the majority. I have talked to citizens from every walk of life and I have yet to find a concerted drive against legalizing pari mutuel betting in Pennsylvania, except the drive which is sponsored by those who operate in the neighboring States and are afraid of the revenue that they would lose if pari mutuel betting in Pennsylvania is legalized.

Mr. President, at the time I speak of, back in 1935, the only State neighboring this State that had legalized pari mutuel betting was the State of Maryland. Today, you can go to Delaware—incidentally, I read a report where somebody in Delaware wrote someone connected with racing, wrote to Pennsylvania, on an inquiry and said they would not advise Pennsylvania to pass the pari mutuel betting. Two days later, I read in the paper where they were building another track. I will venture to say that if they had to depend on Delaware patronage, they would close the track they now have. If you go down to Atlantic City, you will find that the major part of the boxes owned down there are in the names of Pennsylvanians. If you go to Delaware Park, you will find the same thing and the same thing at Garden State. Without Pittsburgh patronage, the Wheeling track would not stay open long enough to pay the jockeys, let alone feed the horses.

Mr. President, I want to say to the Members of this Senate that in private conversation with the Membership of this House and Senate, I have enough votes to pass this bill over a veto. However, whether or not this Membership will have the courage to stand up and be counted remains another question to be asked when the right time comes.

Now, Mr. President, there are some sincere people in Pennsylvania who oppose a race track bill like they oppose anything that smacks of the liberal use of a man's talent. They are opposed to it fundamentally and I respect that group, but I do not respect certain members of that group who allow themselves to be used as the tools of those who have not the welfare of Pennsylvania at heart.

Mr. President, it is called "the sport of kings." Way back in the early days, they tell me, before they had so many prescribing laws on the statute books, the State of Pennsylvania was one of the leading States in the Union for "the sport of kings." I want to say that this kind of legislation will raise between twenty-five and thirty-five millions of dollars a year from sources which will feel no pain.

Mr. President, we talk about putting taxes upon automobile dealers, Coca Cola dealers, television sets, Corporate net incomes, gross receipts of utilities and we let the skimpy, little, seedy-eyed gambler run free all over the State, taking and placing bets to his heart's desire without paying any tribute to the Commonwealth which makes it possible for him to earn his living here. We can take the shadiness out of this business, and any person within the hearing of my voice who does not believe that they are placing millions of dollars of horse race bets every year in Pennsylvania just does not want to know the truth of the matter. Let us be at least courageous enough to face an issue right where it belongs.

Mr. President, I know that for many years it has been a joke to put a horse race bill in. It goes into committee, and it dies a graceful death because some chairman would not bring the bill up for consideration. You are not going to stand idly by and tax the individuals in the Commonwealth, the businesses in this Commonwealth, and continue to shut your eyes against this source of revenue. Prohibition did not stop drinking. It did not even curtail it. I am of the humble opinion that it increased the use of hard liquors. I grew up during the prohibition age, and I am not too proud of the scenes that I participated in myself as a young man and those that I witnessed as a young man. It became the vogue in those days to buy yourself a pint of rot gut liquor, and go to a dance and create some kind of a fuss and see how loud you could talk and how many fights you could get into to prove that you were above the law and in defiance of the law. So it is with horse race betting. There are certain groups of people, certain groups of gamblers, that oppose this legislation in Pennsylvania and they hide sometimes behind a sanctimonious cloth.

Mr. President, I, for one, believe that Pennsylvania ought to have pari mutuel betting tracks in this Commonwealth. I believe that Pennsylvania ought to receive the revenue that is now being collected by all our neighboring States, who do not seem to be too particularly interested as to where Pennsylvanians go after they die so long as they will bet in their States.

So, Mr. President and Members of this Senate, in as serious a vein as I have ever spoken to this Senate in my life, I want to present to the Chair the following bills, co-sponsored by Senator Holland, Senator Wood and Senator Watkins.

BILLS INTRODUCED AND REFERRED

Messrs. DENT, WATKINS, WOOD and HOLLAND (By request) read in place and presented to the Chair Senate Bill No. 742, entitled:

An Act to regulate, license and tax harness racing and pari-mutuel betting at harness racing meets, and to provide penalties for the violation thereof.

Which was committed to the Committee on Law and Order.

They also read in place and presented to the Chair Senate Bill No. 743, entitled:

An Act providing for the regulation and licensing of horse racing and horse race meetings, other than harness racing or harness racing meets, and all participants therein; legalizing, and regulating the pari-mutuel or certificate method of wagering on the results thereof; creating the Pennsylvania Racing Board and prescribing its powers and duties; imposing a tax upon wagers, payable by those herein as licensees; and providing penalties.

Which was committed to the Committee on Law and Order.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 744, entitled:

An Act to further amend subsections A and B of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by allowing a tax on the receipts of sales of goods, wares and merchandise sold by any person vending or disposing of articles of his own growth, production or manufacture in certain cases; and permitting the taxation of a privilege, transaction, subject, occupation or personal property by political subdivision although subject to a State license fee.

Which was committed to the Committee on Finance.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 745, entitled:

An Act to amend the act, approved the twenty-third day of May, one thousand eight hundred eighty-seven (P. L. 164) entitled "An act to secure to laborers within this Commonwealth the benefit of the exemption laws of this Commonwealth, and to prevent assignment of claims for the purpose of securing their collection against laborers outside of this Commonwealth," by forbidding creditors to sue resident debtors of this Commonwealth in the courts of another state where the creditor, debtor, and intended garnishee are within the jurisdiction of the Pennsylvania courts and providing penalties.

Which was committed to the Committee on Labor and Industry.

Messrs. HOLLAND and DENT read in place and presented to the Chair Senate Bill No. 746, entitled:

An Act to repeal the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled, as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court."

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 747, entitled:

An Act relating to the regulation, control and stabilization of rents and possession of housing spaces and living accommodations by municipalities and townships.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 748, entitled:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuation; amending, revising and consolidating the law relating thereto; and repealing existing laws," my making the real estate of public service companies subject to taxation and providing certain exceptions.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 749, entitled:

An Act authorizing judges in counties of the third class to fix the number and compensation of employes appointed by them.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 750, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issue; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by extending the provisions thereof to additional cases.

Which was committed to the Committee on Labor and Industry.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 751, entitled:

An Act making an appropriation to the Trustees of The Pennsylvania State College for the support and maintenance of basic research in ceramics and non-metallic minerals.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement, procedure and penalties and providing for an additional form of appeal.

Mr. PROPERT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committeee on Constitutional Changes and Federal Relations, reported as committed House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed House Bill No. 1505, entitled:

An Act to amend the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1565), entitled "An act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled 'An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau,' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations," by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June, one thousand nine hundred fifty-three and each regular session thereafter.

Mr. KESSLER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Public Health and Welfare, reported as committed House Bill No. 1440, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

He also, from the Committee on Public Health and Welfare, reported as committed House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. KESSLER, from the Committee on Public Health and Welfare, to which was referred resolution offered by Messrs. Barr and McCusker, on June 15, 1953, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT TO STUDY THE SUBJECT OF A STATE PUBLIC HEALTH PLUMBING LAW

In the Senate, June 15, 1953.

Whereas, Because of the rapid development of suburban and rural areas throughout the State serious difficulties have been encountered because of the lack of provisions for adequate sanitary facilities; and

Whereas, Present public health plumbing measures now in effect throughout the State are effective with few exceptions only in the larger communities and these few exceptions relate to some boroughs and townships which have a great variety and confusion of provisions more or less adequate for the needs of public health and safety in the communities involved; and

Whereas, To extend adequately throughout the entire Commonwealth proper provisions of the public health plumbing laws now in effect, there was prepared a Proposed State Public Health Plumbing Law, incorporated in the provisions of Senate Bill 533, which was introduced into the 1953 Session of the General Assembly and which was referred to the Senate Local Government Committee; and

Whereas, After consideration, the Senate Local Government Committee recommended that the proposal because of its broad application and its relation to the public health and safety recommended that the entire subject be studied by the Joint State Government Commission with recommendation for consideration and adoption by the next regular Session of the General Assembly; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to study, investigate and inquire into the entire subject of a State public health plumbing law to be in effect in the Commonwealth of Pennsylvania. The Joint State Government Commission shall report its findings and recommendations to the next Regular Session of the General Assembly, together with such drafts of legislation necessary to carry the recommendations into effect.

Laid over for one day under the Rules.

PETITIONS AND REMONSTRANCES

Mr. WADE. Mr. President, on April 20, just eleven weeks ago, I proposed on the floor of this Senate that leaders of both parties get together and try to make an earnest, sincere, nonpolitical effort to solve Pennsylvania's financial troubles.

Reviewing the record, as printed in the Legislative

Journal, the only result was that my friend, Senator Dent, declined to sit down with the Republican leaders at that time on the basis that he had been mouse trapped on a previous occasion, and my friend, Senator Holland, accused me of making a political speech.

Mr. President, we Members of both the House and Senate constitute the State's Board of Directors. On our shoulders rests the responsibility under the Constitution, and by legal directives, to determine the services the Commonwealth shall render, provide the funds by tax levy and guide the State Government into what avenues we believe the State should enter for the protection of its citizens collectively, because they cannot individually do so.

Here we are, Mr. President, after more than six months of bickering and procrastinating, starting the second half of the year and faced with the prospect of a complete breakdown in the entire machinery of government. We have all voted for a great educational and welfare system, and now a constitutional majority refuses to vote for the taxes necessary to pay for them. Governor Fine pointed out in his statement last week that this "evasion" was costing the State about ten million dollars per month and one month of this new biennium is now history.

Mr. President, as I said last April, I opposed many of the fantastic spending schemes of the previous administration, but I did vote for the progressive educational program, which is the big item in our current financial problem.

Mr. President, here let me digress briefly. By actual tally in the daily paper I read last week that five of them referred to "Governor Fine's Budget" of one billion, 400 million dollars, while only two referred to the "Commonwealth's Budget" of that amount. For the information of my good friends, the newspapermen, who are present, and all newsmen, the latter is correct; it is the Commonwealth's Budget. It was built to its present proportions by Members of this General Assembly in years now behind us, with the guidance and direction of chief executives then in office. All of us now occupying a seat in this General Assembly, by virtue of aspiring to office through our candidacies to this Board of the Commonwealth's Directors, pledged our efforts to solve these financial problems occasioned by the services we decided the State should render.

More than one-half of the total General Fund Budget proposed by the Budget Office, of approximately one billion dollars, is for public education.

Mr. President, included in this education bill is the sum of approximately 397 million in public school subsidies; cash collected by the State and returned to the school districts to help meet their costs such as teachers' salaries, pupil transportation, "rentals" on building projects and so forth. In passing, let me remind you that this decade will show an increase of approximately 25% in the number of young citizens to be educated.

Mr. President, these subsidies are a striking example of the extent to which the State aids local governments. The State is now paying 42% of the total current costs of the public schools. If this money is not forthcoming from existing and new State revenues, and must be met by local imposts, chiefly, no doubt, on real estate, any present Legislators who are ambitious to succeed themselves would best look now for danger signals ahead.

Mr. President, nearly 30% of the budget is for public health, assistance and welfare. In this category are such items as fifteen million dollars for the crippled children's hospital, and the sanatoria of the State, one hundred and eleven million dollars, plus aid to dependent children, old age assistance, pensions for the blind and general assistance to the unfortunates. Some seventeen million dollars cash aid to your local, home district hospitals. Party lines do not cross in any of these or other welfare services any more than they do in school costs and education, and every Member of this General Assembly, regardless of political affiliation, knows that without my saying so.

Can you, as a chosen member of the State's Board of Directors, afford to take these obligations lightly by refusing to vote for needed revenue measures to maintain them?

Mr. President, Ben Franklin said some years ago, "The price of liberty is eternal vigilance." It is most important that all of us are eternally vigilant of economies, prudent spending and every possible honest saving in our government, but certainly anyone who has made even a cursory study of Pennsylvania's present fiscal problems knows they cannot be solved by retrenchment, economies, savings or what have you.

Mr. President, the Governor's statement to the Assembly in Joint Session, on May 27, 1953, reducing the Commonwealth's needs by thirty-nine and a half million dollars, is a most commendable move. Again, I remind you, however, that more than 88.3% of the money we need in the General Fund Budget is for public education, health, public assistance, welfare and debt service of existing obligations.

Mr. President, will someone please tell me why all members of both parties cannot forget about politics just for a week and get down to the business of providing the money to pay for the services which are now approved obligations to the people of Pennsylvania?

Mr. President, some time ago, in debate on this floor, the fact was pointed out that you could search the Legislative Journal with a fine-toothed comb and not be able to find a single "No" vote on any appropriation measure.

Mr. President, I find from reading the Legislative Journal that our Democratic friends say they will not vote for a sales tax because their party platform opposes such a tax. I would like to ask them how they reconcile their willingness to provide votes for a multitude of "special" sales taxes. What is a tax on cigarettes if it is not a sales tax? What is a tax on cigars and tobacco if it is not a sales tax? What is a tax on the transfer of automobiles and trucks if it not a sales tax? Do our Democratic friends think that the people of Pennsylvania are morons?

Now, the people are not being fooled by all this nonsense. Most everyone knows and has now become reconciled to the fact that we must have a broad based tax if we are going to continue to operate our present levels of State Government services. Most everyone knows, or should know, that 33 of the 48 States impose general sales taxes.

Mr. President, I respectfully refer you to the Tax Study Committee Report which was presented to us last March in which is stated:

"Thirty States impose general personal net income taxes.

"Twenty-one States out of the 48 levy both a general personal income tax and a general sales tax."

Mr. President, our courts have ruled that under our Constitution we may not impose a graduated income tax, and our Attorney General has given as his opinion that we may not impose a tax based on federal income tax returns. That leaves us with three alternatives; a flat income tax, which passed the House two years ago and was defeated in the Senate; a sales tax, which failed by a few votes in the House this year; and a mercantile tax. If we are not going to have a complete breakdown of responsible State Government, new revenue measures should be passed immediately. All of us know that we will have a broad based tax within the next few years, and it looks now that the people generally are thinking ahead of some Legislators.

Mr. President, I mentioned earlier in my remarks that economy in the administration of our State Government could not alone solve our financial dilemma by any manner or means. However, I think every Member of the Legislature ought to realize that strict economies have been effected by Governor Fine, and, further, that he has caused a comprehensive study to be made of our over-all government operation.

Merely as an indication of what has been done, and what is being done, I call your attention to the fact that in 1950 the number of persons on the State payroll was 60,141. As of May 30, 1953, the number of persons on the State payroll was 56,090. More than 4,000 people have been dropped from the State payroll, or perhaps it might be accurate to say that hundreds have quit to take better jobs in private industry and have not been replaced.

Mr. President, I am sure that all of us have read Governor Fine's statement of last week, that unless our tax problem is solved in the very near future, State employes will lose the increase which they have been expecting and to which they are rightfully entitled by any standard of comparison. Just payment to faithful State employes is certainly one of the obligations facing the State's Board of Directors. Employers, both private and public, large and small, have found that top service can not be gotten by poorly paid employes.

Mr. President, I have been attempting to find out what has been happening to State employes in neighboring States. I am sure every Member of the Legislature and every one of our State employes will be interested to know that on July 1, 1953, the State of Maryland gave a cost of living increase to all classified State employes and teachers in State Colleges in the amount of about $240 a year. In my discussion last April, I urged a flat $250 a year raise for every employe receiving less than $5,000 a year, and this could have been done if Democrats and Republicans alike had gotten together and set up a reasonable tax program for Pennsylvania.

Who is to blame because State employes have not received the raises due them? Not Governor Fine, not the State Treasurer, not the Auditor General. Not the Republican party. Not the Democratic party. We individual Members of the Senate and the House are to blame, so far as the State employes are concerned.

Mr. President, if the Democrats are going to try to blame the Republican party for political advantage, they have a job of selling to do. The Democrats are equally responsible, our citizens know it, and the Minority Party Members might as well start to accept that responsibility.

Mr. President, I can tell you that Pennsylvania has treated its employes shabbily compared with other comparable States. I think it should be a matter of concern to every member of this body and, as well, a matter of some embarrassment. Maryland, to the South of us, has increased the pay of their State employes 237% in ten years, from 1942 to 1952. In New Jersey, the average rate of pay for State employes is $3,550 per year, and this State boasts of very low cost and efficient government. According to the Budget Office, the average rate in Pennsylvania is $2,476.

How proud are you Members of the Legislature of this great State that 300 employes of the Department of Welfare went unpaid for two months, April and May, because we could not operate our government on a sane, business-like basis? As I said previously, this is not John Fine's problem. He inherited a mess which the previous Administration and previous Legislatures created. I doubt whether anyone in this room would have borne as uncomplainingly, as tolerantly, as understandingly, the cross which was given to Governor Fine to carry. I am sick and tired of hearing over and over again from Members of this Legislive body, and from the House, that everything is Fine's fault.

What do his critics want or expect? Can he work wonders or create revenues? When he came before the General Assembly in 1951, he told us how much money was needed and recommended a tax program. It passed the House and was defeated here.

Mr. President, this year he told us how much we needed, and because of our rejection of his previous tax program, he asked the Legislature to carry out its constitutional obligation and make up its own mind. When we failed, he came before us and again suggested a tax program. That, too, has now been rejected. What comes next?

Mr. President, may I repeat my suggestion of last April, that leaders of our two parties sit down and settle this State business on a practical, common sense basis of responsibility? This is a day of challenge which requires decision and positive action. Pennsylvania cannot afford to falter in its duties, its obligations, nor its commitments. Pennsylvania is a small part of the world, but a Keystone in the United States. The eyes of the world face our Nation and await its leadership.

Mr. President, as we passed another Independence Day, U. S. troops carried the flag in forty-nine countries. It waves over eighty-nine big air bases overseas. Ten years ago, at the height of World War II, our flag waved over American Forces in thirty-nine foreign countries, ten fewer than at present.

Twenty years ago, on the Fourth of July, 1933, the American Flag was flying over military forces in only three countries outside continental U. S. As of now, the sun never sets on the Stars and Stripes. More than a million Americans, many of them Pennsylvanians, are serving under our colors overseas, besides those fighting in Korea.

Mr. President, an alarming statement appears in an editorial of the July 3 issue of the U. S. News and World Report, made by its Editor, David Lawrence, and reads

in part: "The United Nations as an organization designed to enforce peace in the world has come to a humiliating end."

Alarming statement, is it not, but it should shock us into a sense of the duties of our own positions and responsibilities to ten and a half million of Pennsylvania citizens. Shall we meet the challenge of our day or be faithless to the ideals of education, health and welfare services, which individual citizens cannot obtain individually, and have been virtually promised by previous Legislative action? From this decision we have no escape; it rests squarely and equally on the shoulders of every Member of this General Assembly of Pennsylvania.

Mr. DENT. Mr. President and Members of the Senate, I want to first compliment the gentleman from Cumberland County for the nice manner in which he delivered the address he has just given. Although I think he knows that I cannot agree with him in whole, I find it tough to agree with him in part.

First of all, Mr. President and Members of this Senate, I heard the gentleman make the statement not too long ago on the floor of the Senate where he suggested that the leadership of both parties should get together and work out some sort of a program. He repeated in his statement what I said at that time, and I said then that I would not care to sit down in a bipartisan group because I had been stung by the snake before and the rope was getting very close.

Mr. President and Members of this Senate, since that has happened, since he suggested that, there have been some meetings held. The Republican State Chairman has, through the public press, invited the leadership of the Democratic Party to discuss the tax situation. Also, through the public press, the invitation was accepted by the Democratic State Chairman.

Mr. President, they met and then expanded this meeting into a larger one which was held in the Governor's Office. Then, another meeting was held the following week in the Governor's Office. Let us see, Mr. Wade, whether you are interested in cooperation. Let us see whether you are interested in harmony. Let us see whether you want this Board of Directors to sit down and work out a solution or whether you, who accuse us of political bickering, are not the ones who asked for the political bickering. Let us see exactly what happened and have your own words read back to you.

Mr. President, again we sat down with the opposition party, which is in the majority in this Commonwealth, and again we tried to keep faith with the people of Pennsylvania. However, what do you do with them? Let me tell you what you do with them, and I quote from your own statement:

"I find from reading the Legislative Journal that our Democratic friends say they will not vote for a sales tax because their party platform opposes such a tax. I would like to ask them how they reconcile their willingness to provide votes for a multitude of special sales taxes. What is a tax on cigarettes if it is not a sales tax? What is a tax on cigars and tobacco if it is not a sales tax? What is a tax on the transfer of automobiles and trucks if it is not a sales tax? Do our Democratic friends think that the people of Pennsylvania are morons? Now, the people are not being fooled by all this nonsense."

Where did you get the right to say that the Democrats were for a tax on cigarettes, or a tax on automobiles, or a tax on tobacco, just because we sat down in the hope of cooperation, in the hope of negotiation, in the hope of getting the State out of its doldrums and out of the mess it is in? You read into this speech here this afternoon the fact that the Democratic Party has sponsored for the people of Pennsylvania a special set of sales taxes.

Now do you see, Mr. President, why cooperation is impossible? Now do you see why it is impossible to sit down around a common board in the field of politics? Somewhere along the line, someone has to stand out as a paragon of justice and equality and stand up and say, "I am not for political interference; I am for creating a decent government in which there will be no politics," and, at the same time, sticks the knife of public opinion into the backs of the Democrats who have tried to cooperate, who have sat down around the board with the Governor, who have sat down around the board with the Republican State Chairman, without going to the papers, without trying to place the blame upon anybody for the kind of taxes that were being promoted.

Yes, Mr. President, we are against the sales tax. Our platform was against it. Yes, we are against an income tax. Our platform was against it. Your platform was, too, in a sense, because you promised the people of Pennsylvania that there would be no new taxes. However, that is your business and your conscience. Do not put into our mouths words that we have not uttered.

Mr. President, we have never said we were for special sales taxes and we are not going to take the blame for being those sponsoring them. If the Pennsylvania State economy demands legislation, I have no fear of voting for any tax bill because, Mr. Wade, I pay taxes, whether the tax is on automobiles, tobacco, cigarettes, chewing tobacco or anything else. I use these products. I am willing to pay my share to see that the children, whom you cry so loud about, get the things that they deserve.

Mr. President and Members of the Senate. I have tried at all times to be as fair and as decent and as honorable as a man can be in this crazy game known as political intrigue. However, I find it difficult to stand here and listen to my party being chastised and maligned because I have had the courage to sit down, with the knowledge of my membership, to try to work out some program for the State of Pennsylvania.

Mr. President, he knows that he has doomed this program to failure. He has doomed it to defeat because you have, by your own remarks, read into the record by you, yourself, condemned the Democratic Party for being the sponsor of the automobile tax. Why? I will tell you why, so that the automobile dealers will vote Republican. Well, God bless you, sir, they almost always do. So, we will not lose too much. No matter whether you vote for the tax or not, they probable will again. It takes a lot of learning for some people to learn.

Now, Mr. President, I also want to read a few more little tidbits out of this wonderful address which we heard awhile ago. He said here that we will have three

alternatives, "A flat income tax, which passed the House two years ago and was defeated in the Senate"—Mr. President, I wonder if that statement could not be read in conjunction with the second or third paragraph of the speech we just heard, and I quote:

"We Members of both the House and Senate constitute the State's Board of Directors. On our shoulders rests the responsibility under the Constitution, and by legal directives, to determine the services the Commonwealth shall render, provide the funds," and so forth.

"Here we are after more than six months of bickering and procrastinating, starting the second half of the year and faced with the prospect of a complete breakdown in the entire machinery of government."

Mr. President, all through this entire talk he talked about the educational portion of the State's budget. Mr. President, that is very simple. If the State insists on calling the tune for local government, then the State must insist on paying the fiddler. They pay forty-two per cent of the local school burden, but they call 100 per cent of the tunes. They tell each school district the type of school they must have, how many children must be in the room, what the curriculum must contain, how many inches of blackboard ought to be placed in the room, the amount of lighting, the amount of shadowing and the amount of floor space for each child, the amount of heat, the amount of recreational area, the number of teachers per pupil or the number of pupils per teacher and all of these things, the minimum salary they must pay, the maximum increment they can give, the minimum increment they can give.

Now, Mr. President, if the State, of which we are part as the Board of Directors, insists on calling the tunes, insists on telling the local districts how much they must spend and when they cannot spend that much money because they have reached somewhere near the saturation point of local taxation, there is not anything we can do except pay the amounts to be paid. However, do not blame the Democrats; do not blame the Democrats for sponsoring the legislation that put into the future this spending of six hundred odd millions of dollars for education purposes, and then did not have the courage to pass the necessary legislation to pay for it.

Mr. President, if you will go back through your record books you will find that upon this floor, in this very same spot, I put the necessary program before this Senate to pay for the entire tax program for the Commonwealth of Pennsylvania's educational program under Governor James Duff. I also, if you will remember, put into the record of this Senate of Pennsylvania a program for the payment of the bonus, which was rejected by the Republican Party vote and not the Democratic Party vote, because it was sponsored by the Democratic Party. Those of us who are fathers of families know that you cannot order clothes unles you pay for them; so you cannot order programs unles you pay for them. We have always been willing to do it.

Mr. President, I would like to go back to the three alternatives left to us; an income tax, which I understand from this statement was turned down two years ago. I might ask the gentleman from Cumberland County, Senator Wade, which month of the twelve months of the year did he decide to be for the income tax? I was around here all twelve months, and it got pretty late in the fall before I heard his name counted among those willing to stand up. Was the budget not in just as bad a shape then, was the money not needed then for teachers, was the money not needed then for the welfare of the Commonwealth of Pennsylvania? Is there any more difference then than there is now, except that at that time you also, by innuendo, placed the blame upon the Democrats?

Mr. President, I made a statement on this floor, and I am willing to make it again, and I believe that I will be supported by the seventeen Members of this party. Give us the full responsibility in Pennsylvania and let us call the tunes. We will pass the necessary revenue. We will have the courage to do it and we will place the burden where it can best be carried; a place, incidentally, which is taboo in the language of the Republican Caucus.

I do not admit, Mr. President, that there are only three sources of revenue. I do not admit, Mr. President, that the only taxes we can place are a flat income tax, or a State sales tax or a mercantile tax. I do not admit to that, Mr. President. I believe that the forms and sources of taxation are just as apparent to the gentleman from Cumberland as they are to me, and there are forms and sources of taxation yet untapped in the Commonwealth of Pennsylvania which can be tapped. Incidentally, I might call to your attention, Senator Wade, and I know that you will like to hear this, that Maryland, "to the south of us," and I am quoting from you, "has increased the pay of their State employes 237% in ten years from 1942 to 1952." I will guarantee you that it did not take more than thirty per cent of the revenue they got from racing to do that increasing. Also, in New Jersey, you say that the average rate of pay for State employees is $3,550 per year as compared with Pennsylvania's $2,476 per year.

Mr. President, I am not a bit afraid to wager at this time, on a good pari-mutuel machine, that if we put horse racing in Pennsylvania that we can outstrip New Jersey and Maryland and Delaware, who are paying their employees out of the profits they make in racing from the people of Pennsylvania, because we have not the courage to face the issue.

Mr. President and Members of this Senate, I like this remark, too. He said that this is not John Fine's problem. Mr. President, when John Fine—and no man has heard me criticize John Fine upon this floor, because I have maintained all along that the problem was one of inheritance. However, Mr. President, when John Fine became a candidate for Governor in this Commonwealth, he accepted the Republican Party Platform. When he accepted the Republican Party Platform, regardless of my personal opinion of Governor Fine, he is responsible at this moment, just as George Earle was responsible at that moment, and very few Republican ever let us forget that.

Also, Mr. President, I do not think that it takes too much talking on my part to persuade the Members of this Senate to this point of reasoning. I do not think it is going to help harmony or help clear up the mess if, in trying to clear up one mess, you start another one. I want to say to the gentleman from Cumberland that I have always had a high personal regard for him. However, I

believe that the time has come when he, too, must reanalyze his own position.

Mr. President, early, as a boy, I learned one thing, because we lived about a block and a half from the country town pump. We did not have running water. We used to carry water from the pump to the house. We had two large pails that we carried. Sometimes the weight would become heavy and I would try to struggle to the nenghbors' fence to put the one pail on one shoulder and the other pail on the other shoulder, and you just cannot do it. You cannot carry water on both shoulders, because you will get all wet in doing it. You will not have much of a load when you get to the house, and all you will have to do is run back to get another load.

So, Mr. President, in kindly advice to the gentleman from Cumberland, I want to say this. We have tried to cooperate, and for every time that we tried to cooperate the critics in my group were right. They find themselves justified in criticism of my efforts toward cooperation, because every time we show a willingness to try to help you to work out the situation, we become accused of the weakness, politically, of promoting taxes.

Mr. President, I have always said, and I want to say now, that we have offered to cooperate many times. We have been flatly told that it was the responsibility of the Majority. I remember, Mr. President, back in 1951, and if anybody is interested they can find it in the record book, that when I suggested at that time that the income tax was headed for a rough day, and that perhaps we ought to have a meeting of the minds on both sides to work out a program, I was told by the then Republican Leader, Senator Walker, that it was a Republican responsibility and they would work it out.

Well, Mr. President, it was not worked out; it was muddled out. I am afraid that is what is going to happen this year. I have told the leaders on both sides that the Democratic Party cannot, without violating its pledge to the people, support a sales tax.

Now, Mr. President, they have offered to give, where the Republican Party leadership has failed or cannot get sufficient votes to give the necessary revenue to meet the obligations with which we are faced on the Duff mortgage and the interest on that mortgage, we have offered many times to give you the necessary votes. However, nowhere in this statement does the gentleman from Cumberland insinuate anything except, "I would like to ask them," the Members of the Democratic Party, "how they can reconcile their willingness to provide votes for a multitude of special sales taxes."

Well, Mr. President, has any responsible leader of the Democratic Party specifically said that we would provide votes for any set of taxes, any set of revenue measures? We have never said that. So, I want to say that cooperation is one thing, but I do not like to sit across the bargaining board when the man who is cooperating with me wants to cooperate with a baseball bat.

Mr. LANE. Mr. President, I would like to take the time just to further dissect the speech of the gentleman from Cumberland County. I believe that if you check the Legislative Journal, you will find that there has not been a Democrat on this side, to my knowledge, who has criticized the Governor of this Commonwealth. We realize that he is the titular head, or supposed to be, of the Republican Party and we respect him as our Governor, too.

I say to you, Mr. President, if you want to call the shots as the public sees them, the Republican Party in Pennsylvania is playing politics for next year's election. What they are doing is that they are maneuvering for position. It seems to me that we must have a multitude of candidates on the other side, because they feel that there is a chance to win again.

I say to you further, Mr. President, that we on the Democratic side have demonstrated our responsibility time and time again by voting for taxes. The way the gentleman from Cumberland talks, it would appear that we are in the majority here in the Senate. It has been proven time and time again that the eighteen Democrats cannot out vote the thirty-two Republicans.

Mr. President, I imagine that when the machine bills come up here today, it will be clearly demonstrated that the Democrats are still in the minority here in the Senate of Pennsylvania. I say if the Republican Party wants to make a record for itself, they will sit down and heal their wounds and get together and put out a tax program. We have no tax program before us here in the Senate. I travel 240 miles one-way to come down here to sit for a day or two, and then travel back again month after month. It is ridiculous; the people themselves are disgusted with the way things are going here.

Mr. President, I say, too, to Senator Wade, if he would get on the job and not make speeches like that, maybe then he would have some cooperation. We sat in our caucus today and discussed this and I think that most of the Members on the Democratic side were one hundred per cent for cooperation, but when we hear your speeches whereby we are tagged with an automobile sales tax, it is ridiculous. We have not sponsored any taxes. The Republican Party has put these taxes out and when they come before the Senate, then is the time to talk about whether or not the Democrats are for this type of legislation.

Mr. McMENAMIN. Mr. President, in answer to the distinguished gentleman from Cumberland, I would like to say just one or two words. It seems to me that one other alternative exists which he has not mentioned, and that is economy. Economy in State Government seems to be a forgotten word.

Mr. President, the question which the people in my county are asking most these days is simply this: "Doesn't the State Legislature have some other function than to go down to Harrisburg and meet every two years and raise taxes? Why are new moneys constantly needed?" This confusion is aggravated by the fact that the last two or three Governors, when their terms expired, went around the State proclaiming loudly that they were leaving large surplusses and that no new taxes would be needed.

Just as one suggestion, Mr. President, I think that we here in the Senate, and all of us in the Legislature, are concerned about the constantly growing payrolls over the past decade in Pennsylvania. It seems to me, as the gentleman has said, we now have approximately 60,000 people working for the State of Pennsylvania. That is the equivalent of four infantry divisions which the taxpayers of Pennsylvania are supporting. We are not satisfied, on this side of the aisle, that all of those employees

are necessary. We believe that the payrolls have been padded for political purposes.

Mr. President, as one specific example, because I do not like to make general statements without giving specific examples, I can refer you to the Clarks Summit State Mental Hospital in my county. That was taken over by the State two or three years ago. Before that, it was run by Lackawanna County's Institution District. When it was under county jurisdiction, they had both aged people and mentally ill. At that time, the payroll at that institution was $15,000 per month. Since the State has taken it over, they have turned the responsibility for aged people over to the county and they are handling now only the mentally ill.

Mr. President, that payroll has not doubled and it has not tripled. Today that payroll has quadrupled since the State of Pennsylvania took over the operation of that one institution from the County Institution District.

Mr. President, this winter I had the pleasure of hearing a United States Senator from New Hampshire speak in Philadelphia, and he made charges about the conditions in Washington of inflated payrolls and bureaucracy. However, nothing that he talked about that night compared with the record made in that one particular institution, where in the short space of two or three years the payroll has been quadrupled under new management and without any increase in services; in fact, with the elimination of the aged people who were there.

Mr. President, if that is true on a State-wide basis, then that is where Pennsylvania's tax money is going, and that is why we have to have more and more and more taxes to provide more and more jobs for political purposes. It seems to me that we could well examine every request in the budget, and have every department head come over here to the Appropriations Committee, or to a committee of the whole, and justify their increased needs for money, explain to us just why more money is needed. That is the point which we Democratic Members have been concerned about.

Mr. President, I notice that we have made one bit of progress since January in that the first budget which was introduced called for $157,000,000 in new money and that is down now somewhere between $97,000,000 and $127,000,000, so that the Democratic Party, by their program of intelligent opposition to the present budget, has so far saved the people of Pennsylvania at least $30,000,000 during the next biennium.

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. YOSKO. Senator Wade, is it not a fact that all tax bills must originate in the House of Representatives?

Mr. WADE. Mr. President, that is correct, as I understand it, under our Constitution.

Mr. YOSKO. Is it not a fact, Senator Wade, that we have been in Session since January 6?

Mr. WADE. That is my recollection, too, Mr. President.

Mr. YOSKO. Senator Wade, what tax bills are there on the Calendar in the House as of right now?

Mr. WADE. Mr. President, I am not sufficiently informed on the House Calendar for July 6 to answer that question.

Mr. YOSKO. Is the gentleman familiar with what was on the Calendar last week in the House?

Mr. WADE. Yes, Mr. President, but without a Calendar before me I am unable to enumerate the different tax bills on the Calendar last week.

Mr. YOSKO. What tax bills were on the Calendar last week?

Mr. WADE. I have already said, Mr. President, that I cannot answer that without a Calendar before me.

Mr. YOSKO. What tax bills have been reported from committee in the House, were on the Calendar in the House and were voted on since January 6? I am now referring to taxes to make up the difference between taxes which were on the books last year and taxes which were proposed to make up the difference of $118,000,000.

Mr. WADE. Mr. President, that question is of such a statistical nature that I am unable to answer it without proper study beforehand. I think those figures are available to the gentleman just the same as they are to all of us.

Mr. YOSKO. They are available to me all right, but I just wanted to know whether you are acquainted with the tax program about which you are talking.

Is it not a fact that the Republican Majority did propose a sales tax and had it out on the House Calendar?

Mr. WADE. Yes, Mr. President, I so understand.

Mr. YOSKO. Is it not a fact that the Republican Party in the House has a majority, more than 105 votes to pass a bill?

Mr. WADE. That is correct, according to the printed information, Mr. President.

Mr. YOSKO. Is it not a fact that when the bill came up for a vote, a sufficient number of those votes were not cast for the sales tax?

Mr. WADE. That is my understanding, Mr. President.

Mr. YOSKO. Is it not a fact that over the last week end, there were conferences held in the Governor's Office with Democratic and Republican Party leaders and Legislative Leaders?

Mr. WADE. Mr. President, I cannot certify to that. I do not know of any such conferences, except what I read in the papers.

Mr. YOSKO. You are just being cagey now. You read it in the newspapers as I did, did you not?

Mr. WADE. I did not understand his question, Mr. President.

Mr. YOSKO. Well, Mr. President, I can see where the gentleman from Cumberland wants to play it cozy, and play it dumb and all that sort of thing.

POINT OF ORDER

Mr. WADE. I rise to a point of order, Mr. President.

The PRESIDENT. The gentleman from Cumberland will state his point of order.

Mr. WADE. Mr. President, am I still being interrogated, and if so I understand that all interrogations pass through the Chair and that you are not privileged, on the floor of the Senate, to pass questions directly from one to the other.

The PRESIDENT. That is correct. The point of order is well taken.

PETITIONS AND REMONSTRANCES

Mr. YOSKO. My interrogation is ended, Mr. President.

I just want to say to the gentleman from Cumberland that if there is any bickering going on here, to which he referred, it is bickering within the Republican Party. The Democratic Party has nothing to do with it.

Mr. President, everybody knows that, as Senator Lane said, there is a play on here for position for next year's election. Everybody knows that there is a Fine faction in the Legislature, everybody knows that there is a Duff faction in the Legislature and everybody knows that there is a Grundy faction in the Legislature. If the three factions would get together and agree on a program, instead of pulling apart, you could get a tax program together pass it, and we could go home. What you should do, Senator Wade, is make that speech which you just delivered in the Senate, if they would permit you to, over in the House Caucus, in particular when it is discussing taxes.

Mr. President, as I understand it, there was a conference in the Governor's office on two separate days. That conference was attended by Democratic Party Leaders, Republican Party Leaders, Democratic Legislative Leaders and Republican Legislative Leaders. What transpired there, I do not know. I do know that Governor Fine announced a tax program, which, of course, he failed to do when the Legislature convened. He submitted that tax program to the Republican leadership in the House, and from newspaper accounts they had a caucus and they turned down that program. The result is that we still have the same tax dilemma.

Mr. President, the Minority Leader of the House served notice on the Republican Majority in the House that if they could produce ninety votes for a tax program, he, and those who are affiliated with him in the House on the Democratic side, would give the tax program consideration. As of this date, at least, you have not been able to produce even the ninety votes, let alone 105.

Mr. President, it seems to me, as I said last week or the week before last, what is lacking in the Republican Party, or in this Republican controlled Legislature, is leadership, a program and courage. I think if you got together with all of your factions, and selected a leader, and got together a program and had the guts to vote for it, you could end this Session of the Legislature in a reasonable time.

Mr. LEADER. Mr. President, on January 6, the Governor, addressing the Joint Session, had the following to say about the legislative apportionment, and I quote:

"The General Assembly should no longer seek to evade its responsibility in carrying out a Constitutional mandate requiring the reapportionment of State Senatorial and Representative Districts after a decennial census. The last reapportionment was made in 1921. This Session of the General Assembly should recognize its duty and redistrict the Legislative Districts in the State to remove the glaring irregularities that have arisen because of constant population shifts.

"It is clearly the duty of the General Assembly, not only under the mandate of the Constitution but also in keeping with out American principles of representative government, that these inequalities in representation be removed. I urge that this step be taken without delay in accordance with good governmental practices and in support of platform pledges."

Mr. President, it has become apparent recently that the Governor has finally decided that the General Assembly has been sufficiently punished for its bad behavior in the 1951 Session, and that he will play more than merely the part of a public relations man issuing high-sounding statements purely for the benefit of the press.

Mr. President, since the Governor has condescended to giving some semblance of leadership to developing an acceptable tax program on a bipartisan basis, I want to suggest that he do something constructive to give the taxpayers equality of representation in their State Government. Much has been said of taxation without representation in American history. The time has come in Pennsylvania to consider the hazards of taxation with unequal, fractional representation in the government of our Commonwealth.

Of course, there are also some hazards in apportionment. There are two approaches, one the partisan approach, the other the objective approach. Legislation of both types has been introduced in this Session.

Mr. President, several weeks ago, I introduced, by request of the League of Women Voters of Pennsylvania, Senate Bill No. 685. This is an objective, nonpartisan approach to apportionment. This is the only approach that is in keeping with our best American tradition of representative government. This is the kind of a bill that should be enacted into law. Great pains were taken in the preparation of this bill to see that it would be a Constitutional bill.

Extremes breed extremes. A bad, partisan bill now could result in another bad partisan bill in 1955. I am opposed to that type of apportionment.

Mr. President, in order that all of the Members of the General Assembly, as well as the citizens of the Commonwealth, may have an opportunity to evaluate the bills introduced to reapportion the Senatorial Districts in Pennsylvania, I am asking the gentleman from Armstong, Senator Pechan, at the earliest moment to call a meeting of the Committee on Reapportionment to plan to hold a public hearing next week to evaluate the bills referred to his committee.

The people of Pennsylvania have been led to believe that we would heed the mandate of the Constitution. The League of Women Voters spent many months drafting an outstanding bill. Common decency demands that we give every fair consideration to the product of their efforts.

Mr. President, I hope that the chairman of the committee will see that it is his duty to see that his committee functions. I hope that the Governor will give the leadership necessary to carry out his announced program in this field.

Mr. MAHANY. Mr. President, I just want to refer to Senator McMenamin's talk for an instant. You can blame our present financial fix on a great many things, but I do not believe that you can blame it on high priced State employees or a great number of them.

Mr. President, when he pointed out that particular hospital and said that we had quadrupled the payroll, I imagine we did add to the payroll, but that would be necessary in order to take care of mentally defective people. You certainly would need a greater number of doctors and attendants to take care of mentally insane people than you would if there were just a lot of indigent people in this particular hospital. You need psychiatrists, you need attendants, nurses and whatnot.

These attendants and psychiatrists come at pretty high prices. We are having a lot of trouble right now in trying to staff our mental hospitals, because we cannot begin to pay the salaries to those psychiatrists which they could get if they went out in private practice.

Mr. President, I do not think that fifty some thousand, I think Senator Wade said fifty-four thousand or fifty-six thousand, employees in the State of Pennsylvania is a great number when you consider that they are serving around 11,000,000 people in the State of Pennsylvania. I think the Federal payroll was a great deal more under the Democratic Administration than certainly the payroll is under the Republican Administration in the State of Pennsylvania.

Mr. President, I was told the other day by one of the employees in our local liquor store that they had a sign out in the window, advising those who wished to have civil service positions that civil service examinations would be open to them, and they did not get one applicant in that store. I think in the Meadville store they only got two applicants, and in the Oil City store they had one or two. Certainly State employment today is not attractive to the average individual.

Mr. President, there is nothing wrong with our present financial state in the State of Pennsylvania. There is nothing different with that than there is in your local church or in your local home. I think Mayor Lawrence, of Pittsburgh, put his finger on the trouble when he was discussing his troubles out in Pittsburgh, in that he blamed it pretty much on inflation.

You and I know, Mr. President, when we go to our vestry meetings in the church they talk about needing more money for the minister, we need more money for this and we need more money for that. The same is true when you get back home. Your wife will tell you that she needs more money to pay the grocery bill, she needs more money for clothing and all those things. That is our present financial fix in the State of Pennsylvania. It is inflation. The dollar today will not buy as much as it used to, so we have to provide more dollars to provide the services that the people desire to have.

Mr. President, most of this money which we are trying to raise in this budget is going for education. I think over fifty per cent of our budget is going for educational subsidies. Another large percentage, around twenty-five per cent and upward, goes to public health and welfare and assistance, so you are up around eighty per cent before you ever think about any employees or any other services. That is taking a lion's share of this budget.

Mr. President, we in this Senate and in the House, most of us voted to give those services to the people and voted for those subsidies. I think it has been said and well said, and I believe both Democrats and Republicans can now agree, that we do owe it to the people to see that those services are paid for, and that we try to establish the proper type of a tax program so that it will meet with the most popular accord and try to make it as painless as possible, if that is possible, and try then to meet the budget for the services for which we ourselves have voted.

Mr. McNENAMIN. Mr. President, Senator Mahany misunderstood me. At the time that the county had the institution, they had both indigent and aged, as well as mentally disabled. Since that time, of course, the State has nothing but mentally disabled, and although the number of patients is approximately the same, they now are all mentally ill. There is no question that inflation may have entered into the rise in the cost, but it is also true that not all other government agencies have had such an extremely large increase in their costs.

Mr. President, in this county, which has been, as you know, run by Democratic Commissioners for nearly twenty years, we are now paying a general county tax rate of only one mill higher than it was in 1935 when they took office. It is that type of close-fisted, penny pinching Democratic county government which I am familiar with and that is what we would like to see instituted here in the State. I am sure it can be done because it has been done in some departments. In particular, I believe in giving credit where credit is due, the Department of Public Assistance, under Mrs. Evans, has substantially reduced costs. I understand that some of those costs, in addition to perhaps a drop in relief rolls, have been due to increased efficiency in that department.

Mr. President, I think that is the area into which we must look to avoid higher and higher and constantly increasing taxes. In order to do this, I think we should re-examine all the services which the State furnishes, and try to eliminate those which are luxuries and to eliminate unnecessary jobs and eliminate duplication of effort.

However, Mr. President, my primary purpose in rising a second time was to comment that in our intense concentration for the past six months on the fiscal problems of the State, there are some other problems which have not received the attention they deserve. One of those is Senator Barr's bill, which is concerned with rent control.

Mr. President, I think we all know that at the end of this month, the Federal controls expire and that overnight we are going to be without rent control in Pennsylvania unless Senator Barr's bill, or one similar to it, is passed. I know that there are inequities on both sides, and there are tenants who have been unfair to their landlords and vice versa, but as a general overall proposition there is going to be a lot of weeping and gnashing of teeth on the first of next month if rent controls are allowed to expire without any adjustment period, on an overnight basis. Therefore, I urge at this time that immediate consideration be given at the next committee meeting to Senator Barr's bill on rent control.

MOTION TO RECESS

Mr. LANE. Mr. President, we have had a lot of oratory here today and it is getting late. I, therefore, move that this Senate do now recess until 9:30 p. m., Eastern Standard Time.

Mr. HOLLAND. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I rise to oppose this motion as I have known in the past that where we knock off for dinner and then come back later, we are always rather tired and it is usually the custom that it is hard to get down to business after you come back from dinner. If it is possible, Mr. President, I would like to see that we stay here until we at least get on the Calendar.

Mr. BARR. Mr. President, I rise in support of this

motion because it was a Republican Caucus which held us up originally.

Mr. HOLLAND. Mr. President, I think that it is very unfair for the Majority Leader to oppose this motion to recess in order to permit us to eat our meals regularly. I want to draw his attention to the fact that at every Session of the Legislature we lose a Senator through a heart attack. Up to date, we have not lost a Senator, and I think that one of the reasons is that we have been eating on time. I would not like to be that Senator, and I do not want Senator Mahany to be the Senator we lose. I think it is only fair to our systems that we be permitted to eat on time, because if we continue with the Session I want him to note particularly that all of the restaurants, the hotel restaurants, will be closed. I do not know of any lobbyist who ever takes the Democrats out to Hershey for any special dinners.

Mr. President, I would like very much if the Majority would agree with this motion, because I think it means the health of the fifty Members of the Senate. I do not think that they should be compelled to sit here with the gnawing of hunger pains and listen to a lot of abuse from both sides of the house, shall we say. Therefore, Mr. President, I beg the Majority Members, and especially the older Members of the Majority Party, to think of their health and go down and get something to eat and come back with the proper food and nourishment, which will make them very able to think and to vote right when they do come back.

Mr. MAHANY. Mr. President, I was about to remark that, from my observation, if any of these people drop off it is usually from overeating rather than undereating. It might pay us to be a little bit hungry for awhile to see how the other half feels.

Mr. DENT. Mr. President, I do not mind getting used to eating irregularly; we are back under Republican times..

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

PETITIONS AND REMONSTRANCES

Mr. YOSKO. Mr. President, since we cannot recess, maybe we can continue with the previous discussion.

Mr. President, I just want to reply briefly to the remarks of Senator Mahany on the debate which took place before the motion to recess was made. He made some reference to the difficulty we have in employing psychiatrists because of the lack of funds. I just want to say to him that if the psychiatrists which we now employ, and who are on the State payroll, would spend more time in the institutions to which they are assigned instead of spending most of their time in their offices, perhaps our institutions would not be overcrowded by 10,000.

One of these days, Mr. President, when time permits, I will give a report to the Members of the Senate, and the names, too, of those psychiatrists who are on the State payroll and who spend more time in their offices than they do in the State institutions to which they are assigned. I am making this statement now to give those psychiatrists, whom I call drones, because they do not give their attention to the job for which they were hired, a chance to either resign or close their offices and go into these institutions and treat the patients there, for which they are receiving a salary.

Mr. President, on the functions of the State Government, I asked Senator Mahany a short time ago when they were going to introduce the bill to set up an Accountant General. I do not like to harp about this Accountant General as often as I do, but having some knowledge of the functions of State Government I want to say to the Members of the Senate, and to you, Mr. President, that the root of all the evil is the lack of a proper accounting system in this Commonwealth.

Here we are, Mr. President, going on the seventh month of this Session and we have not as yet had a chance to act on that Accountant General Bill. We have a budget before us which totals one billion four hundred million dollars, and it is said that we need somewhere between one hundred eighteen and one hundred twenty-seven million dollars in new taxes. Frankly, under the procedure that is in force in this Commonwealth, I have very little confidence in the budget which has been presented to us because of the lack of an accounting system and an efficient budget bureau.

Mr. President, the Budget Bureau in this Commonwealth is a joke. There is only one way to correct that joke, and that is by the establishment of a State Comptroller or an Accountant General. This biennium ended on May 31, 1953, and I say this in all sincerity. I defy any person in this Commonwealth, the Budget Bureau, the Governor's Office or anybody connected with the State Government, to give us a statement of the true, not the anticipated, but the true financial condition of this Commonwealh.

Mr. President, does anybody know what the accounts receivable are? Does anybody know what the accounts payable might be? Does anybody know what the delinquent taxes payable are; who the delinquent taxpayers are by years and amounts? I do not believe that anybody could give us such a statement, and if they cannot give us such a statement, how can they give us a true picture of the financial condition of the Commonwealth? If we do not have a true picture of the financial condition of the Commonwealth, how do we know how much money is needed to finance the budget? What are the surpluses of the various departments? Has anybody told us? What are the accounts payable against those departments? Nobody has told us, because there is not one department in the State Government that is competent to tell us that.

Mr. President, at the last Session I had the privilege of visiting the State of New Jersey with Senator Diehm and Senator Wade, and they were amazed at the system which they have in the State of New Jersey. They came back here in high hopes of establishing a similar system here. However, the bill fell by the wayside and it seems to me, from all the stalling and delaying on the Accountant General Bill at this Session, that we probably will not correct that very serious condition which now exists.

Mr. President, it seems to me that we should get our house in order before we go into taxes, and there is lots of time to do it. It is just a matter of getting together and doing it, and I hope that will take place within a very short time.

PERMISSION TO ADDRESS SENATE

Mr. LETZLER asked and obtained unanimous consent to address the Senate.

Mr. LETZLER. Mr. President and Members of the Senate, in my Pennsylvania District, the prosperity of the people and of the industries in which they work has depended on the supply of, and the demand for, the minerals of the area. If the coal and clay mines are operating at capacity and their products are easily sold to the industries which consume them, the district is in an economically sound condition. If, as is presently true, the demand for coal and clay is at a relatively low level, the economy of the district is thrown out of balance and serious hardship and suffering result.

Mr. President, this situation would be bad enough if all we in central Pennsylvania had to face was a temporary lowering of the demand for our raw materials. The problem, however, is far more serious. For all practical purposes, the best grades of coal and, to a lesser degree, of clay in the counties I represent are largely used up. The materials that are now being exploited in large measure cost so much to mine or are of a quality which commands so limited a market in the industries of the Commonwealth that the mines must drastically limit production. Thus, despite the tremendous tonnages of coal and clay which are estimated to remain in my district, a large percentage of each cannot today be profitably removed from the ground.

Nor is this condition confined to central Pennsylvania, Mr. President. Other coal mining regions, the oil producing area of the northwestern part of the Commonwealth, and the anthracite country in the northeast are affected. All these districts, and others, are suffering from a depletion of high grade reserves and must solve the problem of profitably exploiting lower grade or more difficultly extracted materials if they are again to achieve an economically sound and balanced mineral industry.

For example, Mr. President, if methods were found which would largely remove the impurities, sulfur and ash, from the coal and proper techniques of blending different coals were developed, the production of coke would do much to improve the mineral position of central Pennsylvania. Another possible source of mineral wealth is the aluminum which forms an unusually large percentage of much of the clay in my district. If this aluminum can be profitably extracted from such clay, again primary wealth would be created which would add immeasurably to the economic well-being of the Commonwealth.

Mr. President, this is, of course, to cite but two examples of what might be done to add to, and expand, the mineral wealth of the State. We must, however, not attack so important a problem piecemeal, nor should the work be confined to the problems of anly a portion of the Commonwealth. A broad program for finding and utilizing the entire mineral wealth of Pennsylvania should be undertaken. As the first step in so tremendous a project, a survey should be made of the mineral position of the State, and on the basis of that survey, plans should be proposed to locate the mineral wealth, actual and potential, of the Commonwealth and to develop the necessary techniques and equipment to turn that mineral wealth into the raw materials needed by Pennsylvania's industries.

Mr. President, the attainment of a sound mineral program for the Commonwealth would directly benefit not only the 700,000 persons employed in the extractive and processing mineral industries but also the entire population of the State, each of whom gains as the rate of mineral industries' production and processing rises.

Mr. President, had a survey such as I have just suggested been made fifty or even twenty-five years ago, and had sound and constructive work been done on a large scale on the problems which the survey would have posed to the agencies best designed to solve them, we would not today be facing the revenue and tax problems that are now before us, nor would Pennsylvania have lost first place among the mineral producing states of the Nation.

Mr. President, the present prosperity of the Commonwealth of Pennsylvania depends on a continued high rate of operation of its industrial establishments. Such a rate of operation, in turn, depends on the mineral production of the State. Without the mineral resources, with which the Commonwealth has been so abundantly blessed, American industry would never have concentrated in the State, and without a continued supply of these resources industry will not remain here. It follows, therefore, that the Commonwealth must do everything in its power to insure that the raw materials which industry requires are made available to it in the necessary amounts.

Mr. President, at some time in the distant future, the coal deposits of the State, which provide over three-quarters of its mineral production, will be exhausted, but they can be made to last for hundreds of years—at least until some other form of energy has been adapted to industrial uses—and must be made to do so if the Commonwealth is to maintain its present industrial dominance. However, if this goal is to be achieved, every pound of coal, within accessible distance of the earth's surface must be brought to the surface or must be so treated that its energy can be utilized even if it cannot be physically recovered from the ground.

Mr. President, such a program of complete recovery necessitates the location of all the coal the State contains, the development of new methods and types of equipment for its mining, the discovery of new processes for converting it into liquid or gaseous fuel, and the finding of means by which much of the huge tonnage of coal to be physically brought to the surface can be upgraded to meet requirements for coke production.

Mr. President, it should be apparent that the fundamental prosperity of the Commonwealth of Pennsylvania depends on the extraction of mineral wealth from the rocks of the State at a rate appropriate to maintain and increase the industrial activity of the Commonwealth. This can only be done if, one, the mineral resources of the State are known in their entirety, and, two, if the methods and equipment for their full utilization are available. These things cannot be satisfactorily accomplished unless sound planning precedes the attack on the problems to be met. This requires that a State-wide survey be made.

It is for this purpose, Mr. President, that I am offering this resolution.

RESOLUTION REFERRED TO COMMITTEE

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO APPOINT A COMMITTEE TO MAKE A COMPLETE AND LONG RANGE STUDY OF METALLIC AND NON-METALLIC MINERAL DEPOSITS

Mr. LETZLER offered the following resolution which was twice read and referred to the Committee on Mines and Mining:

In the Senate, July 6, 1953.

Whereas, The Commonwealth of Pennsylvania was first among the states in the production of minerals during the years 1911 through 1945; and

Whereas, Production of minerals in Pennsylvania in relation to other states has been declining in recent years; and

Whereas, Many of our mineral deposits are of low grade, their location is such that the cost of their extraction from the earth is prohibitive or their location is unknown; and

Whereas, 700,000 persons employed in the extracting and processing of minerals as well as the entire population of this Commonwealth is dependent upon an economically sound program of utilizing to the maximum degree the vast mineral resources of this State; and

Whereas, This can be accomplished by continuous research in developing processes and equipment for extracting low grade but very valuable mineral deposits at a minimum of expense; therefore be it

Resolved, That a continuing committee be appointed in the Joint State Government Commission to make a long range study of and do extensive research in—

(1) Determining methods for locating and actually locating and estimating the size of metallic and non-metallic mineral deposits.

(2) The utilization of low grade coal, manganese and iron ore and other minerals.

(3) Processes from transforming minerals from a solid to a liquid or gaseous state before or after they have been extracted.

(4) Methods for economical transportation of minerals.

(5) Technological methods for extracting and processing the mineral wealth of this State on a sound economic basis; and be it further

Resolved, That the Joint State Government Commission is authorized to appoint on said committee and to employ eminent engineers, geologists, chemists and other specialists who are leaders in their fields that they may deem necessary to carry on the necessary research as herein set forth; and be it further

Resolved, That a report of the results of the study and research, together with recommendations, be made by the commission to the Governor annually, and to the General Assembly at each regular legislative session.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 323, as follows:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing pena ties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subjects to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townhips of the first class providing for the appointments of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" is hereby amended to read as fol ows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county borough town township school (except in cities) poor and county institution district purposes at the annual rate

(a) All real estate to wit Houses house trailers permanently attached to land buildings lands lots of ground and ground rents trailer parks and parking lots mills and manufactories of all kinds and all other real estate not exempt by law from taxation

(b) All sa aries and emoluments of office all offices and posts of profit professions trades and occupations and all persons over the age of twenty-one years who do not follow any occupation or calling as well as unnaturalized foreign-born persons who shall have resided within this Commonwea th for one whole year as citizens of this Commonwealth

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 2 Section 502 and 602 of the act as amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2138) are hereby further amended to read as follows

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the fol owing oath or affirmation

"I ..... do hereby (swear or affirm that I will as assessor for .... (ward borough town or township) use my utmost diligence to discover and ascertain and will report to the chief assessor all persons and property made taxable by law [and will assess rate and va ue all such persons and property] in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto and will perform to the best of my ability the duties imposed upon

me by law and keep faith with trust reposed in me by the citizens of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 602 Valuation of Persons and Property It shall be the duty of the chief assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the same would separately bona fide sell [Real] After there has been established and completed for the entire county the permanent system of records consisting of tax maps property record cards and property owner's index as required by section three hundred six of the act herein amended real property shall be assessed at a value based upon an established predetermined ratio of which proper notice shall be given not exceeding seventy-five per centum (75%) of its actual value or the price for which the same wou'd separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county [When] After the completion of the permanent system of records for the county when assessing real property the chief assessor shall also take into consideration the value of such property as indicated by the use of the permanent system of records cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

Section 3 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 323

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 323.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Washington will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Dent,	Letzler,	Propert,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Fleming,	Mallery,	Snowden,	Wood,
Freed,	McCreesh,	Stevenson,	Yosko,
Haluska,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 324, as follows:

An Act relating to support or dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Pennsylvania civil Procedual Support Law"

Section 2 Definitions The masculine pronoun when used in this Act shall be construed to include the female

"Court" as used in this Act shall be construed to mean the Quarter Sessions Court of any county the Municipal Court of Philadelphia and the County Court of Allgeheny County

"Law" includes both common and statute law

"Duty of Support" includes and duty of support imposed or imposable by law or by any court order decree or judgment whether interlocutory or final whether incidental to a proceeding for divorce legal separation separate maintenance or otherwise

"Probation Officer" shall include any officer now or hereafter serving in any court at the direction of the court in the Domestic Relations Division of this court and to whom is assigned the enforcement of the duty to support

"Initiating county" means any county in which any proceeding pursuant to this Act is commenced

"Responding county" means any county (including the initiating county) in which any proceeding pursuant to the proceeding in the initiating county is or may be commenced

"Complaint" shall include any petition information affidavit or any other legal document for the institution of support proceedings

Section 3 Remedies Additional to Those Now Existing The proceedings provided by this Act are in addition to and not in substitution of proceedings provided by law where there is desertion or a failure of duty to support

Section 4 Domestic Relations Division and Probation Officer (a) In every judicial district of the Commonwealth there shall be a Domestic Relations Division for the purpose of keeping a full and complete record of all support proceedings which shall process all complaints received from an initiating county or from an initiating state which has adopted the Uniform Reciprocal Enforcement of Support Act

(b) A probation officer together with such assistants as may be necessary appointed by the court shall be in charge of the Domestic Relations Division for the purpose of processing the complaints filed and making effective the orders of support entered said probation officer shall keep an account of all orders made by the court and a record of all payments made thereunder and shall bring promptly to the attention of the court and the district attorney any default in compliance with the court's order the probation officer shall make an annual report to the court of the full activity of the Domestic Relations Division

(c) The probation officer and assistants in the Domestic Relations Division shall receive a salary commensurate with their duties and fixed by the salary board of the

county together with the necessary expenses incurred while in the actual performance of duty both of which shall be paid by the county It shall be the duty of the probation officer to make such investigation as may be necessary and to furnish the court such information and assistance as the court may require and to take charge of any defendant before or after hearing as may be directed by the court and to collect and pay over to the proper persons money received and in general to do and perform such services as the court may direct

Section 5 Commencement of Actions (a) A support action under this Act shall be commenced by the filing of a verified complaint which shall state as follows (1) The name and address of the complainant (2) The name and address of the defendant (3) The date and place of marriage (4) The names and ages of any children (5) Date and circumstances of separation or failure to support (6) Employment of defendant and earnings (7) Amount of public assistance (8) Amount of support asked (9) The complaint may contain any information to aid the locating or identification of a defendant including but without limitation by enumeration a photograph of the defendant a description of any distinguishing marks of his person other names and aliases by which he has been or is known his financial status fingerprints and Social Security number and any order of support in any other court

(b) A complaint may be filed by any person including a minor wife to whom a duty of support is owing it shall be filed on behalf of a minor child by a person having custody of the minor without appointment as guardian ad litem it may be filed by any public body or public or private agency having any interest in the care maintenance or assistance of any person to whom a duty of support is owing

(c) Every complaint shall contain an order directing the defendant to appear for hearing at a time and place as specified in such order

(d) Every complaint and order may be served by registered mail or by any adult person or by any other manner provided by law

Section 6 Contempt of Court If a person duly served with a copy of a complaint and order shall fail to appear the court may issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct at which time the court may adjudge said person in contempt of court and in its discretion may commit such person to the county jail or house of correction for a period not exceeding six (6) months

Section 7 Order of Support (a) An order of support may be made effective from the date of the filing of the complaint

(b) An order to support of any person shall be made payable to the Domestic Relations Division for transmission to the complaint or for transmission directly to a public body or public or private agency whenever the care maintenance and assistance of such person is provided for by such public body or public or private agency

Section 8 Compelling Attendance (a) At all stages of proceedings provided under this Act the court may compel the attendance by attachment process directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct at which time the court may adjudge such person in contempt of court and in its discretion may commit such person to the county jail or house of correction for a period not exceeding six (6) months

(b) At any stage of the proceedings under this Act upon affidavit that the defendant is about to leave the jurisdiction an attachment may be issued directed to the sheriff or other proper officer of the county directing that the person named be brought before the court at such time as the court may direct at which time the court may direct that the person named give security by one or more surety to appear when directed by the court or to comply with any order of the court

Section 9 Enforcement of orders of the court (a) The court upon receiving information either through written application or at any hearing that there is failure to comply with the order of the court may issue attachment proceedings directed to the sheriff or other proper officer of the county directing that the person named be brought before the court at such time as the court may direct

(b) Any wilful failure to comply with any order of the court may be deemed a contempt of court and may be punishable by the court by commitment to the county jail or house of correction

(c) The wages salary or commissions of any person owing a duty of support may be attached in the following manner

(1) A certified copy of the order of support shall be served on the employer whether a corporation political subdivision association company firm or individual and may be served by registered mail or by any adult person or by any other manner provided by law

(2) Such certified copy of the order shall contain an order directing the employer to make a full answer within ten (10) days after service of the order of the amount of wages salary or commissions of the defendant and further directing the employer to make no payment to the defendant over 50% of the amount due him until further order of the court

(3) The court shall determine the amount of the wages salary or commissions which shall be regularly paid by the employer to the Domestic Relations Division and shall so notify said employer

(4) Thereafter it shall be the duty of the employer to pay such amount regularly to the Domestic Relations Division and upon failure so to pay shall be in contempt and subject to the court's order as now provided in proceedings against defendant The employer is authorized to deduct 2% of the amount paid under the order from the wages of the defendant for clerical work and expense involved in complying therewith

(5) Such attachment shall continue until discharged by order of the court

(d) The Domestic Relations Division shall make periodic reports to the court of defaults in and failure to comply with any order of the court

Section 10 Jurisdiction The court making the order shall at all times maintain jurisdiction of the cause for the purpose of enforcement of the order and for the purpose of increasing decreasing modifying or rescinding such order without limiting the right of a complainant to institute additional proceedings for support in any county wherein the defendant resides or where his property is situated

Section 11 Duties of District Attorney (a) The district attorney shall at all times aid in the enforcement of the duty of support and shall cooperate with the Domestic Relations Division in the presentation of complaints or in any proceeding designed to obtain compliance with any order of the court

(b) The district attorney upon the request of the court a state or local public welfare official shall represent any complainant in any proceeding under this act

Section 12 Duties of Court in Initiating County If the court of the county acting as an initiating county finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support or the defendant is in default in payment on an order of support and that the court of the responding county may obtain jurisdiction of the defendant or his property it shall so certify to the responding county and shall cause three copies of (1) the complaint or order and (2) is certification to be transmitted to the court in the responding county

Section 13 Duties of Court in Responding County (a) If the court of the county acting as responding county receives from the initiating county the aforesaid copies it shall (1) docket the cause (2) notify the district at-

torney (3) set time and place for hearing and (4) serve the defendant

(b) If the responding county is unable to obtain jurisdiction of the defendant or his property the court shall communicate this to the intiating county

(c) If the responding county finds a duty of support or a default in payment on an order or support it shall enter an appropriate order and may further subject any property of the defendant to such order by any writ of attachment or execution

(d) The responding county shall cause to be transmitted to the initiating county a copy of all orders entered and shall transmit all collections made on any order to the Domestic Relations Division of the initiating county

(e) The responding county shall have the power to subject the defendant or his vroperty to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular (1) to require the defendant to furnish recognizance in the form of cash deposit or bond of such character and in such amount as the court may deem proper to assure compliance with the order of support (2) to require the defendant to make payments at specific intervals to its Domestic Relations Division (3) to punish the defendant who shall violate any order of the court to the same extent as is provided by law for comtempt of court

Section 14 Costs and Fees No fee shall be required to be paid in advance The court of an initiating or responding county may in its discretion direct that any part of or all fees and costs incurred including without limitation by enumeration fees for filing service of process seizure of property and stenographic service shall be paid by the parties or shall be borne by the county in which the costs have been incurred When the action is brought by or through the state or local public welfare official there shall be no filing fee

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 324

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 324.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCusker,	Stiefel,
Barr,	Hare,	McGinnis,	Taylor,
Berger,	Harney,	McMenamin.	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Dent,	Letzler,	Propert,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Fleming,	Mallery,	Snowden,	Wood,
Freed,	McCreesh,	Stevenson,	Yosko,

NAYS—2

Holland,	Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 435, as follows:

An Act to add section 308 to the act approvad the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after section 307 thereof a new section to read as follows

Section 308 Adjustment for values of Improvements (a) Except as hereinafter provided whenever the boundaries of any townships have been altered and a portion thereof has been annexed by a borough or city the township shall be paid by such borough or city the following value of improvements located within the portion of the township so annexed (1) the value of all roads improved by the township within five years (2) the value of sewer systems constructed by the township within fifteen years (3) the value of public buildings and improvements other than roads and sewers The provisions of this section shall not apply to the value of any road sewer or facilities which has been assessed against the real property within the annexed territory

(b) The township shall not be reimbursed for any improvements the value of which has been assessed against abutting property-owners

(c) If any present indebtedness of the township exists by reason of any improvements located in annexed area and a city of the third class assumes a portion of said indebtedness as provided in section 540 of the act known as "The Third Class City Code" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) or a borough assumes a portion of said indebtedness as provided in section 702 of the act known as "The Borough Code" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) such payment on account of indebtedness shall be considered to be a credit to such city of the third class or borough on account of the cost of said improvement

(d) When ever an amicable settlement cannot be made on the amount to be paid as provided in subsection (a) of this section the court of quarter sessions upon application of the governing body of the city borough or township shall determine the amount to be paid

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NOW CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 435

Mr. MAHANY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 435.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 535, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (Pamphlet Laws 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 207 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of procees and notices imposing duties on taxing districts and their officers and on tax collectors and certan expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as last amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for th actual costs and expenses of operating the bureau created by this act [for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective] the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof [and thereafter shall receive and retain two per centum (2%) thereof] which percentage shall be deducted by the bureau before paying over moneys to the respective taxing districts entitled thereto and shall be paid into the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 2 Subsection (d) of section 307 of the act is herby amended to read as follows

* * * * *

Section 307 Filing Claims Testing Validity of Old Claims Joinder of Claims of Taxing Districts

(d) Not later than the thirtieth day of June each year or for the first year in which any county operates under the provisions of this act not later than the thirtieth day of September the bureau shall make up from the tax returns received from the taxing districts as aforesaid a claim for each property returned which shall contain the unpaid taxes against such property which are due all taxing districts as found in the various returns Such claims shall be entered by the bureau in a suitable claim docket and may be in the form of written or typewritten lists A claim shall cover the unpaid taxes due all taxing districts but the amount due each taxing district shall nevertheless be shown separately A number of years' taxes of different kinds may be included in one claim Any claims shall be amendable by leave of the bureau upon notice to the defendant as the bureau may require

Section 3 Subsection (a) of Section 308 of the act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 890) is hereby further amended to read as follows

Section 308 Notice of Filing of Returns and Entry of Claim (a) Not later than the thirty-first day of July of each year or for the first year a county operates under this act not later than the thirty-first day of October the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by United States registered mail return receipt requested postage prepaid addressed to the owner at his last known post office address If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities then notice as herein provided shall immediately be posted on the property affected Each mailed and posted notice shall (1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes

is not mode to the [county treasurer] bureau on or before the thirty-first day of December next following in cases where the notice was mailed prior to August first or that if payment is not made on or before March thirty-first in cases where the notice was mailed on or after August first or no exceptions thereto filed the said claim shall become absolute (3) state that on [August] July first of the year in which such notice is given or if the notice was mailed after July thirty-first that on the first day of the month (naming it) in which the notice was mailed the one (1) year period of redemption shall commence or has commenced to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale

* * * * *

Section 4 Section 311 subsection (b) of Section 314 and subsection (a) of Section 501 of the act are hereby amended to read as follows

Section 311 Claims Become Absolute On the first day of January next following the notice hereinbefore prescribed in cases where the notice was mailed prior to August first or on the first day of April in cases where the notice was mailed on or after August first if the amount of the tax claim referred to in the notice has not been paid or no exceptions thereto filed the claim shall become absolute Every such claim shall bear interest as hereinbefore provided to the date of payment or date of sale held under the provisions of this act except in the case of claims where the owner is paying his taxes under the provisions of any law abating penalties interests and costs or either in which case the claim shall bear no interest and costs unless there is a default in payment in which case interest shall run on the amount due on the claim at the time of default and penalties interest and costs abated shall be added as provided by the act of Assembly abating the same

* * * * *

Section 314 Proceeding to Attack Validity of Claim

(b) Any defendant in any such claim at any time before the [first day of January next following the notice as aforesaid] day fixed for the claim to become absolute under Section 311 may file with the bureau exceptions to the claim as entered or to any part of the claim The bureau after giving due notice to the taxing districts interested shall hold a hearing thereon and either disallow the exceptions or allow the exceptions in whole or in part and strike off or reduce the claim in accordance with the evidence produced and the powers of the bureau as hereinbefore prescribed.

If the defendant is aggrieved by the decision of the bureau he may within fifteen (15) days after notice thereof appeal by petition to the court of common pleas of the county setting forth the defense he has to the claim or any part thereof and the refusal of the bureau to allow his exceptions and strike off or reduce the amount of the claim Thereupon the court shall grant a rule on the taxing district or districts to show cause why the claim should not be set aside or reduced in amount as prayed for in the petition The petitioners shall give notice of such proceeding to the bureau

* * * * *

Section 501 Redemption of Property From Effects of Tax Claims

(a) Any owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representative or other person interested may within one (1) year after the first day of July of the year in which the claim was filed and notice given if the notice was mailed prior to August first or within one year from the first day of the month in which the notice was mailed if mailed on or after August first redeem such property for the benefit of the owner by payment to the bureau of the amount of the aforesaid claim and interest thereon the amount of any other tax or tax judgment due on such property and interest thereon and the amount of all accrued taxes which remain unpaid the record costs including pro rata costs of the notice or notices given in connection with the returns or claims

The bureau shall receive and receipt for said payments and shall make distribution thereof through the county treasurer to the taxing districts entitled thereto The bureau shall forthwith acknowledge the receipt of the redemption moneys by entering satisfaction on the record of the claim in the office of the bureau which shall be signed by the director

* * * * *

Section 5 Subsection (a) of Section 601 of the act as amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby reenacted and further amended to read as follows

Section 601 Date of Sale (a) Commencing on the second Monday of July of each year or for the first year any county is operating under the provisions of this act at the bureaus discretion commencing on the second Monday of October or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) or where held by the bureau under article seven as agent for the various taxing districts the premises remain occupied by one or more persons in the family of the previous owner who are or within the sixty (60) days immediately preceding were receiving assistance from a public agency against which a tax claim has become absolute and the period of redemption has expired (without the property having been redeemed) or against which a tax jugdment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale.

* * * *

Section 6 The provisions of this act shall become effective immediately upon final enactment.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 535

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 535.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,

Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 290, on final passage, entitled:

An Act providing for and regulating the licensing and practice of practical nursing and imposing penalties.

be recommitted to the Committee on Education.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman inform the Senate of his reasons for referring this bill back to committee?

Mr. MAHANY. Mr. President, I think the bill should go back to committee for further study and possible amendment.

Mr. HALUSKA. Mr. President, that certainly was a very weak answer, but it is better than none sometimes.

PARLIAMENTARY INQUIRY

Mr. HALUSKA. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his question of parliamentary inquiry.

Mr. HALUSKA. Mr. President, am I permitted to debate this bill or not?

The PRESIDENT. The motion, I regret to advise the Senator from Cambria, is not debatable.

Mr. HALUSKA. The motion is not debatable, I understand that.

And the question recurring,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I ask for a slow roll call. I would like to have everyone in the Commonwealth know just who their friends are; who voted "yes" and who voted "no." It should be understood that those voting "yes" are definitely against this type of legislation, and those voting "no" are for it.

Mr. President, this is an important bill, dealing with the very lives of the people of this Commonwealth. Although the motion is not debatable, I wanted to bring that out, but I do want a slow roll call.

Mr. BANE. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

VERIFICATION OF THE ROLL

Mr. HALUSKA. Mr. President, just to keep the record straight, I ask for a verification of the roll.

Mr. HOLLAND. I ask for a verification of the roll, Mr. President.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Kephart,	McCusker,	Wade,
Blass,	Kessler,	McGinnis,	Wagner,
Crowe,	Kopriver, Jr.	McPherson, Jr.	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	Wood,
Harney,	McCreesh,	Taylor,	

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	Miller,	Stiefel,
Barr,	Holland,	Pechan,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Chapman,	Leader,	Silvert,	Yosko,
Dent,	McMenamin,		

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. HALUSKA and Mr. BANE and were as follows, viz:

YEAS—31

Berger,	Kephart,	McCusker,	Wade,
Blass,	Kessler,	McGinnis,	Wagner,
Crowe,	Kopriver, Jr.	McPherson, Jr.	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	Wood,
Harney,	McCreesh,	Taylor,	

NAYS—18

Bane,	Haluska,	Miller,	Stiefel,
Barr,	Holland,	Pechan,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Chapman,	Leader,	Silvert,	Yosko,
Dent,	McMenamin,		

So the question was determined in the affirmative.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281, Printer's No. 336, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 480, as follows:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by de-

fining certain terms imposing powers and duties on the Department of Welfare providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children eliminating certain consents to adoption and further providing for hearings and investigatory powers of the court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1180) is hereby further amended to read as follows

Section 1 Be it enacted &c Definitions Approval of Agencies and Institutions Appeals Report of Placement and Contents of petition for Adoption (a) As used in this act unless the context clearly indicates otherwise the following words and phrases shall have the meanings ascribed to them in this subsection

"Abandonment" means conduct on the part of a parent which evidences a settled purpose of relinquishing parental claim to the child and of refusing or failing to perform parental duties

"Approved Agency or Institution" means a county institution district or an agency or institution incorporated under the laws of the Commonwealth of Pennsylvania and approved by the State Department of Welfare

"Court" means the Orphans' Court or a law judge thereof except in counties of the first class where it means the Municipal Court of Philadelphia or a law judge thereof

"Intermediary" means any person or persons agency or institution acting between the natural parent or parents and the proposed adoptive parents in arranging an adoption placement

(b) The standards of approval which shall be applied by the Department of Welfare annually shall be concerned with such practices as enable the agency or institution to carry out adequately its responsibilities of placing children for adoption under the provisions of this act Such standards shall be developed by the State Department of Welfare in cooperation with an advisory committee of not less than twelve members appointed by the Secretary of Welfare and representing both public and private child-caring agencies and institutions related professions and the public at large to serve without compensation except for necessary expenses Such standards shall be reviewed at least once a year by said advisory committee

Upon application made therefor the Department of Welfare shall approve each agency or institution which it determines meets the standards of approval promulgated by the department When the Department of Welfare determines that an agency or institution fails to meet such standards it shall file its disapproval or withdrawal of approval with the court as defined in this act of the county in which such agency or institution is located Such actions shall not become effective until affirmed by the court The court shall set a date for hearing and prescribe the notice thereof to be given the agency or institution After hearing de novo the court shall affirm the action of the department if satisfied that the action was taken for just and reasonable cause and that any finding of fact made by the department and necessary to support its action is supported by substantial evidence otherwise the court shall enter a decree ordering the department to approve such agency or institution for the purpose provided in this act the court shall not be bound by any findings of fact made by the department

(c) It shall be the duty of every person now having or hereafter receiving or retaining possession custody or control of any child other than such person's own child grandchild stepchild brother or sister of the whole or half-blood or niece or nephew by blood or marriage for the purpose or with the intention of adopting such child to make a report to the court of the county wherein such person resides which report shall set forth in addition to the circumstances surrounding such person's receiving or retaining possession custody or control of any such child the name color age date and place of birth and religious affiliation of such child the name and address of the intermediary or agency and the name address and religious affiliation of the person or persons making such report Such report shall be filed with the court within thirty (30) days of the date such person or persons receive or retain possession custody or control of any such child or within thirty (30) days after the effective date of this amendment whichever shall last occur except when such person receives or retains possession custody or control of any such child from a society agency institution or similar organization or corporation which as part of its activities receives children for the purpose or with the intention of having such children adopted by other persons in which case such report shall set forth only the name and address of such society agency institution or similar organization or corporation in addition to the circumstances surrounding such person's receiving or retaining possession custody or control of any such child

All reports required to be filed under this subsection shall be kept in the files of the court as a permanent record thereof and shall be withheld from inspection except upon an order of court granted upon cause shown

When such a report has been received by the court the court shall cause a complete investigation to be made by one of the following agents a local public child care agency a private child care agency (with its consent) the State Department of Welfare an appropriate person designated by the court or in lieu of such investigation the court may accept a report from the agency or institution that placed the child Such investigation shall include pertinent information with regard to health anecedents and eligibility for adoption of the child the health social and economic status of the adopting parents and nay other information regarding the suitability of the placement The court may establish procedure for the payment of investigation costs by the persons making the report or by such other persons as the court may direct

(d) It shall be lawful for any adult person desirous of adopting any person either a minor or an adult as his or her heir or as one of his or her heirs to present his or her petition to the [Orphans' Court or to a law judge thereof] Court of the county where he or she may be a resident or [upon allowance by the Orphans' Court] in the county in which the person to be adopted is a resident [except that in counties of the first class where the petition shall be presented to a judge of the municipal court] upon allowance by the court in that county or upon allowance by the court in the county in which is located the approved agency or institution or any of their branch offices which placed the person for adoption declaring such desire and that he or she will perform all the duties of a parent to such person Such petition shall also set forth the name color age date and place of birth places of residence since birth and religious affiliation of the person proposed to be adopted and whether the person proposed to be adopted is heir to property or assets of any sort through his or her natural parent or parents name and address of intermediary the name residence marital status color age occupation and religious affiliation of the adopting parent or parents the name color age and place of residence of each of the natural parents or of the surviving parent or of any other person whose consent to the proposed adoption is necessary as hereinafter provided and in those cases where abandonment is alleged a statement that said abandonment has continued for a period of at least six months Whenever possible the petitioners shall be of the same religious faith as the natural parents of the child to be adopted No person shall be denied the benefits of this act because of a religious belief in the use of spiritual means or prayer for healing In those cases where parental rights have been legally terminated either through voluntary relinquishment or by the finding of abandonment in court there shall be embodied in the petition a statement setting forth (1) the court term and number of such proceedings

(2) that such person proposed for adoption is in the custody of an approved agency or institution whose consent to the adoption is attached to the petition In addition such petition shall embody or have attached thereto the consents in writing of the person or persons whose consent to the proposed adoption is necessary as hereinafter provided A birth certificate or certification of registration of birth of the person proposed to be adopted shall be attached to the petition for adoption If no birth certificate or certification of registration of birth can be obtained it shall be so stated in the petition with a request that the court on the basis of the evidence shall establish a date and place of birth in the adoption hearing

Section 2 Said act is hereby amended by adding after Section 1 thereof two new sections to read as follows

Section 1.1 Voluntary Relinquishment When any person under the age of eighteen years has been in the care of an approved agency or institution for a minimum period of thirty (30) days the parent or parents of such person may petition the court in the county in which is located that office of the approved agency or institution having the custody of such person for permission to relinquish forever all parental rights to such person if the parent or parents of such person are eighteen years of age or over they may petition the court without the consent of their parents or guardians The agency are institution having the care of such person shall join in such petition

The court shall thereupon fix a time for hearing which shall be not less than ten days after such petition is presented The hearing shall be private At such hearing the court by examination under oath of the parties to the petition shall ascertain the truth of the facts set forth in the petition and its execution and if satisfied as to the truth thereof and that the petition should be granted it shall issue its decree so finding and (1) directing the transfer of the custody of the person to the approved agency or institution and (2) authorizing such agency or institution to give consent to the adoption of such person without further consent of or notification to the parent or parents

Such decree with all the testimony and all other papers pertaining to the case shall be recorded in such manner as the court shall prescribe and shall be kept in the files of the court as a permanent record thereof and shall be withheld from inspection except upon an order of the court upon cause shown

Section 1.2 Abandonment When any person under the age of eighteen years has been in the care of an approved institution or agency for a minimum period of thirty (30) days and its appear that such person has been abandoned for a period of at least six months such approved agency or institution may peition the court in the county in which is located that office of the approved agency or institution having the custody of such person for a finding of abandonment and asking for custody of such person

The court will thereupon fix a time for hearing which shall be not less than ten days after such presentation At least five days' written notice shall be given by registered mail to the alleged abandoning parent or parents at his or their last known address The hearing shall be private or in open court as the court shall determine At such hearing the court by examination under oath of the parties interested in the petition shall ascertain the truth of the facts set forth in the petition and its execution and if satisfied as the truth thereof and that the petition should be granted it shall issue its decree so finding and directing a finding of abandonment (1) decreeing that custody be given to the approved agency or institution caring for said person and (2) authorizing the approved agency or institution to give consent to the adoption of said person without further consent of or notification to the natural parent or parents

Such decree with all the testimony and all other papers pertaining to the case shall be recorded in such manner as the court shall prescribe and shall be kept in the files of the court as a permanent record thereof and shall be withheld from inspection except upon an order of the court upon cause shown

Section 3 Section 2.1 of said act as added by the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) is hereby amended to read as follows

Section 2.1 When Notice or Consent Not Required When the person proposed to be adopted shall have reached the age of eighteen years and has not reached the age of twenty-one years and such person shall have lived for at least ten continuous years with the adopting parent or parents consent of the parent or parents shall not be necessary and notice of the proposed adoption proceedings need not be given by publication or otherwise to the parent or parents of the person proposed to be adopted unless the court shall deem it necessary and so orders

When the person proposed to be adopted shall have reached the age of twenty-one years notice of the proposed adoption proceedings shall not be required to be given by publication or otheryise to such person's parent or parents nor shall their consent be required

When abandonment has been established by decree of the court for purposes of adoption placement or when through voluntary relinquishment parental rights have been terminated by the court the consent of such parent or parents shall not be necessary nor shall notification of adoption hearing be required The rights of inheritance between child and natural parents shall not be abrogated until final adoption has been decreed after which decree the natural parents if they can be located shall be notified as the court shall direct that legal adoption has been completed Such notification shall be unnecessary if the petition states that the person to be adopted is not heir to property nor assets of any sort through his or her natural parent or parents Such notification shall not give names or other identifying information about the adopting parents

The consents required by subsection (d) of section two may be dispensed with by the court if after hearing it finds that it is for the best interest of the child to do so

Section 4 Said act is hereby amended by adding after Section 2.1 a new section to read as follows

Section 2.2 Consents Not Naming Adoptive Parents A consent to a specific proposed adoption which meets all the requirements of this act but which does not name or otherwise identify the adopting parent or parents shall be valid provided that such consent shall contain a statement by the person whose consent it is to the effect that such person voluntarily executed the consent without disclosure of the name or other identification of the adopting parent or parents

Section 5 Section 3 as last amended and Section 4 of said act as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1180) are hereby further amended to read as follows

Section 3 Hearings Upon presentation of any such petition to adopt as aforesaid a time for hearing thereon shall be fixed not less than ten days from said presentation which said hearing [may be before the said court or any law judge thereof at chambers] shall be private or in open court as the court shall determine and may be adjourned from time to time if the nature of the case should so require At said hearing the adopting parents or parent the person proposed to be adopted if in the opinion of the court such persons' presence is deemed necessary and all the persons whose consent is necessary hereunder and any person concerned individually or as a representative of an agency acting as an intermediary between the natural parent or parents and the adopting parents must appear in person and be examined under oath by such court or judge but the personal appearance of the natural parents or other persons whose consent is necessary hereunder may be dispended with in the discretion of the court or judge hearing the petition if such persons reside without the jurisdiction of the court or if for any other reason the said court or judge deem it unnecessary provided the duly executed consent of such persons in writing have been filed with the petition and the said court or judge may in his discretion require the personal appearance of the natural parents of the

child at a different time and separate and apart from that of the other parties in interest

When abandonment is averred in the petition for adoption but has not previously been found as a fact in a court notification to the parent or parents of the time and place of the hearing shall be made by personal service or registered mail to the last known address If the parent or parents cannot be found evidence of search satisfactory to the court shall be given When parent or parents cannot be located the returned receipt of the registered letter to the last known address shall be considered conclusive evidence of search If parental rights have been terminated previously under the provisions of this act either by voluntary relinquishment or by the finding of abandonment consent of the parent or parents or notification of the hearing shall not be required The said court or judge shall also hear any other testimony as to the facts set forth in the petition or necessary to inform the court as to the desirability of the proposed adoption and [may] shall also make or cause to be made an investigation by some person or public agency or private agency (with its consent) specifically designated by said court or judge to verify the statements of the petition and such other facts as will give the court full knowledge as to the desirability of the proposed adoption

The court shall establish a procedure for the payment of investigation costs by the petitioners or by such other persons as the court may direct

Section 4 Decrees of Court Records In no case shall any decree of adoption of a minor be made or entered unless the person proposed to be adopted shall have resided with the petitioner for a period of six months prior thereto or in lieu of such residence unless such person is related by blood or marriage to the petitioner If satisfied that the statements made in the petition are true and that the welfare of the person proposed to be adopted will be promoted by such adoption and that all the requirements of this act have been complied with the court or judge shall make a decree so finding and directing that the person proposed to be adopted shall have all the rights of a child and heir of such adopting parent or parents and be subject to the duties of such child but otherwise shall make a decree refusing the adoption and dismissing the petition If desired by the parties the decree may also provide that the person adopted shall assume the name of the adopting parent or parents and any given first or middle names that may be chosen Such decree with all the testimony transcribed and all other papers pertaining to the case [and the testimony if written out] shall be kept in the files of said court as a permanent record thereof and shall be withheld from inspection except upon an order of court granted upon cause shown Upon the making of such decree the prothonotary or clerk of the [Orphans'] Court as the procedure established may require shall enter upon the docket an entry showing the court term and number and the date of the decree After a decree of adoption has been entered the court shall report to the Department of Welfare on a form supplied by the Department which the Department shall keep in confidential files Information identifying the natural or adopting parents shall not be required

Section 6 Any adoption heretofore granted or decreed by any court of record of this Commonwealth in which either the person or persons adopting or the person or persons adopted was a non-resident or were non-residents of this Commonwealth at the time such adoption was granted or decreed or any adoption which was granted prior to the expiration of the full ten days required by law to intervene between the filing of the petition for the adoption and the hearing of such petition by the court or which was granted or decreed without the formal entry on the decree of the findings of facts at length or without the court or judge specifically finding that the statements made in the petition were true or wherein the consent or consents required by law did not name or otherwise identify the adopting parent or parents is hereby declared valid and lawful as though made in full observance of all requirements of law provided that the petition and decree for such adoption were otherwise in accordance with law

Section 7 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occured:)

Mr. McCREESH. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
Diehm,	Leader,	Propert,	Watson,
DiSilvestro,	Letzler,	Ruth,	Weiner,
Fleming,	Madigan,	Silvert,	Wolfe,
Freed,	Mahany,	Snowden,	Wood,
Haluska,	Mallery,	Stevenson,	Yosko,

NAYS—2

Chapman,	McCreesh,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER TEMPORARILY

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 573, Printer's No. 226, and House Bill No. 574, Printer's No. 221, on third reading, go over in their order, temporarily.

The PRESIDENT. Is there objection?

Mr. LANE. Mr. President, I object to those two bills going over in their order.

MOTION THAT BILLS GO OVER IN ORDER TEMPORARILY

Mr. MAHANY. Mr. President, I move that House Bill No. 573, Printer's No. 226, and House Bill No. 574, Printer's No. 221, on third reading, go over in their order, temporarily.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, what is your objective in carrying House Bill No. 573 and No. 574 over temporarily in order?

Mr. MAHANY. Mr. President, I thought that there would probably be quite a bit of debate on these bills

and in order that we can work with the printer, so that he can get the other printed matter out for us by tomorrow, I thought that we could act on the rest of the calendar and then come back to those.

Mr. LANE. Senator Mahany, I tried to be cooperative, but if this motion goes through it will force me to take certain parliamentary action. I feel that these bills are up here now, and we should debate them. You would not let us recess. We want to get this over with, and there is no use in carrying them over in order and then waiting until late at night and trying to bring the bills up then. I suggest that we handle it now.

Mr. MAHANY. Mr. President, I notice there are only two more bills on third reading and if the Senator would withdraw his objection, I would have those go over and then come back to these two bills. I jut want to dispose of Senate Bill No. 590 and Senate Bill No. 591, which will not take but a minute.

Mr. LANE. You want those to go over, is that it?

Mr. MAHANY. Yes, Mr. President, I will put them over and then we will come right back to these two.

Mr. LANE. All right, I will withdraw my objection, Mr. President.

MOTION THAT BILLS GO OVER IN ORDER TEMPORARILY WITHDRAWN

Mr. MAHANY. Mr. President, I now withdraw the motion that these bills go over in their order temporarily.

Mr. HARE. Mr. President, I wish to withdraw my second to the motion.

The PRESIDENT. The motion that these bills go over in order temporarily having been withdrawn and Senator Lane having withdrawn his objection to the original request that the bills so go over in their order, House Bill No. 573 and House Bill No. 574 will go over in their order, temporarily.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 590, Printer's No. 315, and

Senate Bill No. 591, Printer's No. 310.

HOUSE BILL No. 573 CALLED UP

Mr. MAHANY. Mr. President, I wish to call up from page 5 of today's Third Reading Calendar, House Bill No. 573, Printer's No. 226, which went over in its order, temporarily.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 573, as follows:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 219) is hereby further amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county city borough town township school and poor purposes at the annual rate

(a) All real estate to wit Houses lands lots of ground and ground rents mills and manufactories of all kinds furnaces forges bloomeries distillers sugar houses malt houses breweries tan yards fisheries and ferries wharves and all other real estate not exempt by law from taxation Machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not be considered or included as a part of the real estate in determining the value of such mill mine manufactory or industrial establishment Provided however that the exclusion of machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not apply to the county of the second class

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth Provided That whenever a person other than a Federal employe not taxable under the provisions of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessments The provisions of this clause shall not apply to counties of the second and third class or to any other county the county commissioners of which shall by resolution determine not to levy a tax on trades occupations professions and persons who follow no occupation or calling nor shall the provisions of this clause apply to cities of the second and second A class or to school districts

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 2 The provisions of this act shall become effective the thirtieth day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I suppose we are going to hear a lot of debate on these bills, because even before they were reported from committee and onto the calendar, there was some discussion on them.

I think the question boils down to whether you are going to put a large tax on industrial machines, which may very well force industry out of the city of Erie and the county of Erie or, even beyond that, out of the State of Pennsylvania, or whether you are going to allow industry to live. Perhaps it might add a few more dollars or a few more mills onto the man who has a home or some real estate in a city. However in the end, I feel that the home owner or the property owner is going to profit, because if you force industry, for instance, out of the city of Erie, then you are going to take the employees that are now employed in that industry outside of the ctiy of Erie and you are going to make Erie a ghost town, which might very well happen to many other third class cities in the State of Pennsylvania.

Mr. President, I think the argument relative to this machinery tax exemption was very well summed up by Howard E. Kelley, who is the Secretary of the Erie Manufacturers Association, in the following statement which he issued:

"To provide work for the children now in our schools, Erie industry will have to furnish 8,000 additional jobs in the next ten years. Any program that will stunt the growth of our industry will make this impossible.

"The machinery tax, in actual fact, has furnished an unfavorable climate and has virtually eliminated industrial expansion in this city.

"Since the machinery tax has become law two large industries, Talon, Incorporated, and Read Standard Corporation, have left Erie. The American Sterilizer Company has announced it will move all its operations outside the city of Erie, and rather than expand in Erie. Erie Resistor Corporation is building a branch in Holly Springs, Mississippi.

"The machinery tax helped these companies decide to leave Erie because they could not produce goods here and compete favorably with their compeitors who do not have to pay any machinery tax.

"Last year Erie's manufacturing industry with its 43,154 employees created $321,234,000 of wealth for Erie. That was the 'value added by manufacturing' to goods made in Erie.

"These goods were then sold all over the world, and when they were paid for, Erie was $321,234,000 richer. This wasn't just money which changed hands in Erie—it came from outside Erie into Erie.

"Out of this money, about $165,000,000 went into payrolls of local workmen. When they spent this money for food clothing, housing and other needs they spent most of it in Erie, creating more local payrolls in stores, banks and other businesses.

"Manufacturers of the city of Erie favor the passage of Waterhouse bills not only for the future of Erie, but because the machinery tax discriminates against industry who already pay a property tax on both real estate and machinery, and are thus being taxed twice on the machines which in themselves provide for so many citizens of our community.

"The best security so many people have is a good job with a good company and if Erie industries cannot make a profit, the jobs and security of many thousand of Erie residents is in jeopardy.

"All of industry is proud and pleased to see a company grow, prosper and expand. It is most discouraging to see that expansion, which is made possible by good management and good labor, add jobs to other communities.

"Industry wants good government and good schools, and recognizes its responsibility in financing those community necessities, but it does not condone nor accept any unfair tax program to support these necessary community institutions.

"Each worker, shopkeeper, professional man and industrialist, in fact every person who loves Erie and wishes to see it grow and prosper, should recognize that when the cost of doing business here becomes too great to meet outside competition, survival means seeking other areas with the resultant decisions loss to Erie.

"For this reason alone a few dollars distributed among all of us to supply any loss of machinery tax revenue would be much better than unemployment."

Mr. President, I also want to read an editorial from the Erie Daily Times, of Wednesday, July 1, 1953, which is titled, "Why Destroy Erie's Big 'Meal Ticket'?"

"The gross inequities of the so-called 'machinery tax' in Erie is brought out forcibly and clearly in a message addressed to Hammermill Paper employees and which appeared in a page-advertisement in local newspapers yesterday.

"We share with the Hammermill in its expose of the evils of the assessment that it is a vicious levy upon industry which provides the 'meal ticket' for Erie.

"The machinery assessment makes manufacturers pay the city and school board a tax on the value of their machinery. Manufacturing corporations such as Hammermill already pay the State a 'capital stock tax' on this same value, so the local tax, inspired by politics rather than common sense and economy, is double taxation on the same machinery.

"The machinery tax is aimed at manufacturers.

"Only machinery owned by manufacturers is singled out for this tax. For instance, Hammermill's diesel locomotives which operate in the mill's yards and on nearby tracks are taxed because they are owned by a manufacturer—but the other locomotives operating in the yard are not taxed because their owners are not manufacturers.

"The railroad cars in which pulpwood is handled are taxed; but railroad cars in the same train but not owned by Hammermill are not taxed.

"Electric trucks operating in the mill are taxed but identical trucks used in stores, or a construction company or any other non-manufacturer, are not taxed.

"Manufacturers in Philadelphia and Scranton do not have to pay machinery tax. Such tax is prohibited by law.

"Of all cities, only the smaller ones—the so-called 'third class cities'—can levy this tax and of all of the cities in this class only Erie has seen fit to make its own assessment levying this tax.

" 'The power to tax is the power to destroy' is a time honored maxim.

"The tax can drive industry from Erie. Since the tax began in 1950, two large industries have withdrawn branch plants from Erie and two Erie-owned industries have decided to expand outside of Erie rather than here at home.

"Just those situations cited above, deprives the city of

normal real estate taxes in addition to substantial payrolls that will go out of the city.

"There are several good-sized plants in Erie which are withholding plans for expansion because of the 'Erie only' tax which certainly doesn't encourage expansion.

"This penalty placed upon the manufacturers is inequitable and is discouraging for any increase in employment that would naturally follow the establishment of new industries here or the expansion of older ones.

"Chasing business out of Erie by oppressive taxation is a clear demonstration of the political chicanery of 'the power to tax is the power to destroy'."

Mr. President, the city of Erie got into this tax assessment problem because of the Hammermill Paper case. Before that, the city of Erie as well as the other third class cities and counties of the State of Pennsylvania were assessing manufacturers and manufactories, and they did not get into any trouble at all and they were assessing more than just the bare four walls.

Mr. President, the machinery which was affixed to the plant, such as Senator Lane brought out about the crane rails, which would be part of the building, nobody for a minute thinks that even though these bills are passed that this sort of equipment will still be taxable as part of the real estate. Then, some taxpayer in Erie took the city of Erie in under a mandamus proceeding which forced the city council, whether they wanted to or not, to levy taxes, to levy an assessment on even diesel locomotives and freight cars in the yard of this company. Every piece of machinery was particularly itemized and placed on the assessment rolls, which was certainly a long way from what the thinking would be of those who originally formed the Assessment Act.

Mr. President, a lot of newspaper publicity has taken place on both sides in connection with these particular bills. There were full page advertisements placed in the paper not only by the Hammermill Corporation, which sought to bring out the inequities of this tax, but also by the other side. The message was to Senator Dent and Senator Lane to "continue their fight against this legislation."

Mr. President, my mail brought me some of those full page advertisements which were sent to Senator Dent and Senator Lane, but they put in the words "do not continue." They wrote in and instead of saying to continue the fight, they said, "We wish you would not continue the fight against this legislation." My desk here is piled full of communications, telegrams, letters, newspaper clippings and every other type of communication from many persons not only in the city of Erie, but also outside the city of Erie which are in favor of this legislation. I have only received one or two communications which are opposed to it.

Mr. President, I think that most of the laboring men in Erie desire to retain their residence in the city of Erie, as well as those laboring men in other cities in the State of Pennsylvania. They have their homes in those cities, they are satisfied with their working conditions, they are satisfied to stay in the plant that, perhaps, they grew up in, started as a boy and have worked up through the ranks so that they now are in responsible positions in those manufactories, and they do not wish to have some unfair tax placed upon the machinery of those plants, which would force the plants outside the city, and make them follow along or else completely lose their jobs. They want to protect the investment which they have made in their homes, and in their schools and in their cities, and they want those manufacturing companies to stay in their city.

Mr. President, the Pittsburgh Press, I believe, last week brought out the fact, Senator Dent, that not very many cities and very few counties put on a separate assessment on this machinery. Then, I noticed that they were corrected and it was brought out that in Westmoreland County they did take into consideration the machinery which was in the manufacturing plants there. They said in this editorial that they thought it was unwise for any political subdivision to tax out of existence the manufactories in their political subdivision.

Mr. President, I want to close by stating that I hope my Democratic friends will use the Democratic processes in relation to these bills; that is, to debate them and argue them on their merits and take as much time as they want to in relation to them, but not try to resort to trying to defeat the majoriy will here by some kind of parliamentary maneuver and that sort of thing.

Mr. President, I think we should debate the bills at length and then whichever side prevails, the minority, whichever way it is, should recognize the right of the majority of this Senate to vote the legislation which they think is best for the Commonwealth of Pennsylvania and its citizens.

PARLIAMENTARY INQUIRY

Mr. LANE. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Washington, Mr. Lane, will state his question of parliamentary inquiry.

Mr. LANE. Are we debating House Bill No. 573 and House Bill No. 574 together, Mr. President?

The PRESIDENT. No, we are debating House Bill No. 573, Printer's No. 226.

Mr. LANE. I thank you, Mr. President.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President, I would like to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President, but in order to clarify the record, I was speaking of both of the bills as a package. I did not separate them. I think the reasoning on one applies to the other, and vice versa.

Mr. LANE. Mr. President, I still would like to interrogate the Majority Leader. He answered one question, but I want to ask him another.

Senator Mahany, if Erie has such a terrific problem with the taxing of machinery, why did you find it necessary to try to pass House Bill No. 573, which pertains to second and third class counties? You will note that in House Bill No. 573 there is an amendment in there whereby, on line 13, page 3, it says:

"Provided however that the exclusion of machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not apply to the county of the second class."

Is that true?

Mr. MAHANY. Mr. President, I am sorry. Now what

was the question, Senator Lane? I was looking through the bill.

Mr. LANE. You were speaking in regard to the problems of Erie in particular, and I am rather curious. I want to know why you would try to pass House Bill No. 573. House Bill No. 573, it is my understanding, applies to the assessment law of second and third class counties. It does not have anything to do with Erie at all, because Erie is a fourth class county. However, you put an exclusion in there, that Allegheny County, which is a second class county, is not included within the provisions of this act. Can you explain that?

Mr. MAHANY. Well, Mr. President, both of them are tied up in county assessments. I understand the assessment law provides that the city can tax those items which are assessable for county taxation. You will notice that in both House Bills Nos. 573 and 574 it refers to subjects of taxation for county purposes. I think both of them had to be introduced and passed in order to give the citizens the remedies which they desire.

Mr. LANE. The citizens of Erie, Mr. President?

Mr. MAHANY. The citizens of Erie and the citizens of other third class cities, Senator.

As I understand it, Mr. President, the reason that these other cities have not assessed machinery, as the city of Erie has, is because they have not been taken into court on mandamus proceedings. If, at some future time, your political subdivisions desire to take advantage of the Hammermill Paper case, they can take the city council into court and, under a mandamus proceeding, make them assess these items when, at the present time, they do not assess them for tax purposes.

Mr. LANE. Senator Mahany, do you not agree that third class cities can only assess that property which is enumerated in the General Assessment Act, which applies to counties? In other words, a third class city cannot assess anything that the county cannot assess. Is that not true?

Mr. MAHANY. Well, Mr. President, they can assess certain things which the county does not assess.

Mr. LANE. Can you tell me what, Mr. President?

Mr. MAHANY. For instance, Mr. President, under Act No. 481, they can make certain assessments which the county does not.

Mr. LANE. Well, they levy there. They do not assess for real estate purposes.

Mr. MAHANY. That is right, Mr. President.

Mr. LANE. I am talking about the real estate law, Mr. President.

Mr. MAHANY. That is right. The cities are pretty much bound to assess only those things which are enumerated under the County Assessment Law.

Mr. LANE. Would third class cities in a second class county be able to assess machinery under this act?

Mr. MAHANY. Third class cities in a second class county, I do not believe that they would, Mr. President.

Mr. LANE. Well, Senator Mahany, the point I am trying to make here is that I cannot see any necessity for House Bill No. 573 because it does not pertain to Erie, if you are speaking of the Erie problem.

Mr. MAHANY. What is the question, Mr. President?

Mr. LANE. I will rephrase it this way, Senator Mahany. I would like to know what you are going to accomplish by House Bill No. 573, in so far as the city of Erie or the county of Erie is concerned?

Mr. MAHANY. Mr. President, this bill, as I see it, would be necessary in order to exclude machinery from the operation of the third class city authority to levy an assessment on machinery.

Mr. LANE. I wish to thank you, Senator Mahany.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Holland, will state his point of order.

Mr. HOLLAND. Mr. President, I find that a considerable number of the Republicans have left the floor and have gone to eat. I would ask that the Sergeant-at-Arms request the Republicans to sit in their seats here instead of leaving the floor during this debate.

Mr. WALKER. Mr. President, I call the gentleman from Allegheny's attention to the fact that there is nothing in the Senate Rules which requires us to listen.

Mr. HOLLAND. Mr. President, a law never forced people into good management. This shows the management of the Republican Party, when their own Members will not sit in their seats even though they insist on considering these bills tonight.

The PRESIDENT. The Chair regrets that he is unable to rule that the point of order is well taken.

Through the years, there have been many discussions about when a vote counted and when a Member is in the Chamber and when he is out.

It would seem to the Chair that there is a bit of wisdom in the ultimate decision, after centuries of parliamentary procedure, not to imprison, literally, a Member of a legislative body so that he could not, for any reason, during the transaction of business temporarily leave the Chamber. That could, for many reasons that one could bring to mind, cause an embarrassing situation, to say the least

CALL FOR A QUORUM

Mr. HOLLAND. Mr. President, I notice the lack of a quorum and ask for a roll call.

The PRESIDENT. The Senator is entirely within his rights and if he raises the question of a quorum and requests a roll call, the request certainly is well within the purview of the Rules.

Mr. YOSKO. Mr. President, I second the request for a call for a quorum.

Mr. LEADER. Mr. President, I second the request for a call for a quorum.

Mr. SILVERT. Mr. President, I second the request for a call for a quorum.

The PRESIDENT. The request for a quorum having been called for by the gentleman from Allegheny, Mr. Holland; the gentleman from Northampton, Mr. Yosko; the gentleman from York, Mr. Leader; and the gentleman from Philadelphia, Mr. Silvert, the Chair will ask the Senator from Washington to yield at this time and the Clerk will call the roll on the quorum.

The yeas and nays were required by Mr. HOLLAND, Mr. YOSKO, Mr. LEADER and Mr. SILVERT and were as follows, viz:

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,

Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Wood,
Haluska,	Mallery,	Snowden,	Yosko,

PRESENT—48

The PRESIDENT. The roll having been called and 48 Senators having answered "Present," the Chair declares a quorum to be present.

And the question recurring.

Shall the bill pass finally?

The PRESIDENT. The gentleman from Washington, Mr. Lane, may proceed.

Mr. LANE. Mr. President, House Bill No. 573 amends the Act of 1933, Pamphlet Laws 853, and also amends the Act of 1941, Pamphlet Laws 219. I have done quite a bit of research on this legislation and, in addition to that, the law department in my county has done much work on it.

Mr. President, the Act of 1933 is Act No. 155 which relates "to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws."

MOTION TO RECOMMIT BILL

Mr. LANE. Mr. President, I now move that House Bill No. 573, Printer's No. 226, be recommitted to the Committee on Finance for the purpose of a public hearing.

Mr. HOLLAND. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I oppose this motion and ask my colleagues to vote "no" on the same.

Mr. HOLLAND. I ask for a roll call, Mr. President.

Mr. HALUSKA. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. BLASS. Mr. President, not having heard my name called, I desire to be recorded as voting "no".

The PRESIDENT. The Senator will be so recorded.

Mr. HOLLAND. Mr. President, may I interrogate the gentleman from Erie, Mr. Blass?

The PRESIDENT. Will the gentleman from Erie, Mr. Blass, permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. HOLLAND. Were you on the floor of the Senate when your name was called?

Mr. BLASS. I just came in the door when my name was called.

VERIFICATION OF THE ROLL

Mr. HOLLAND. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	Haluska,	McCreesh,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will read the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Kephart,	McCusker,	Taylor,
Blass,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	Wood,
Harney,			

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. HOLLAND and Mr. HALUSKA, and were as follows, viz:

YEAS—16

Bane,	Haluska,	McCreesh,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,

NAYS—29

Berger,	Kephart,	McCusker,	Taylor,
Blass,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	Wood,
Harney,			

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President, in continuation of my remarks in regard to House Bill No. 573, as I previously stated it was amended by Act No. 155, 1933, and the Act of July 1941, P. L. 219.

Mr. President, the 1933 Act is No. 155 and it pertains to taxation. It designates the subjects, property and the persons subject to and exempt from taxation for all local purposes and providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations, and amending, revising and consolidating the law relating thereto and repealing existing laws.

Mr. President, it covers the preliminary provisions in Section 1; Section 2 is the subjects of taxation and exemptions; Section 3 goes on to tell about tax assessors; Section 4 covers triennial and inter-triennial assessments; Section 5 covers revisions and appeals; and Section 6 is a general repealer.

The short title is this: "This Act shall be known, and may be cited, as The General County Assessment Law.' This Act shall become effective immediately upon final enactment."

Mr. President, the definitions under Section 102 are as follows: "The following words and phrases shall, for the

purpose of this act, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

" 'Assessors' and 'elected assessors' shall mean the assessors for county tax purposes elected in wards, boroughs, towns and townships in counties of the fourth, fifth, sixth, seventh and eighth classes.

" 'Appointed assessors' shall mean the assessors appointed by the board of revision of taxes in counties of the first class, and the subordinate assessors appointed by the board for the assessment and revision of taxes in counties of the second and third classes."

Mr. President, this is the act which was cited in House Bill No. 573. This is not the Act of Assembly which pertains to Erie County. The gentleman seemed to be quite disturbed about the problems of Erie County, but he has not convinced me yet why House Bill No. 573 is before us, when it applies to third class counties, which is not the classification of Erie County. It applies to second class counties, which is Allegheny County. Therefore, his speech which he gave a little while ago, covering the problems of Erie, has nothing whatever to do with House Bill No. 573.

Mr. President, House Bill No. 573 is being passed here for the purpose, the express purpose, of prohibiting third class cities in third class counties from assessing machinery, either directly or indirectly. It is going to prohibit counties of the third class from assessing machinery.

Surely, Mr. President, there is no necessity for this particular piece of legislation if the problem is in Erie. This is nothing but third class county legislation.

Mr. President, when the gentleman cites the problems of those manufacturers in Erie, he forgets that we have quite a number of third class counties in Pennsylvania which are not indirectly related to Erie County or their problems in any way possible. At the same time, if the gentleman would have his way he would have this legislation passed, which would penalize the third class counties and any municipality within that third class county because of the problems of Erie. That is sort of a farfetched statement on his part, when he states that House Bill No. 573 is absolutely necessary in order to protect the manufacturers of the city of Erie.

Mr. President, I have before me a communication which I received from some very responsible officials in a third class county. I happen to have the privilege and pleasure of being personally acquainted with these gentlemen and I know that they are men of the highest integrity. They are directly concerned with the problem in Erie County and they are being penalized because, so Senator Mahany said, they have a problem up there in Erie and, therefore, they want to pass legislation to prevent counties of the third class from assessing machinery either directly or indirectly. This communication is from the Board of Commissioners in Westmoreland County, W. Everett Noel, Harry C. Gongaware and Robert A. Kilgore. It is dated July 2, 1953. It says:

"Dear Senator Lane:

"I have been directed by the County Commissioners of Westmoreland County to again write you bringing to your attention further facts as to the effects the passage of House Bills 573—574 would have on Westmoreland County.

"Recently we wrote to you setting forth that Westmoreland County's assesments would be affected to the extent of somewhat of twenty-five per cent to thirty per cent. This is serious from the county's standpoint, but it is more serious from a school standpoint as most of the areas affected have large high schools which act as a center for tuition students from other districts. This would be a tremendous loss.

"Without naming the areas or the plants, I would like to give you several typical examples.

"1. A certain manufacturing plant in one of the boroughs is assessed for $506,750. This includes real estate and machinery as a unit. $283,575 or 56 per cent of this assessment is based on machinery and equipment."

There, Mr. Preshident, is one plant whereby if this legislation becomes law, a municipality in the county of Westmoreland will lose fifty-six per cent of this assessment. "Another plant," in No. 2, "is in the same locality and is asesssed for taxes to the tune of $1,160,400. Forty-eight per cent of this amount, or $557,575, is the value of machinery and equipment.

"3. Another plant in another community is assessed for tax purposes at $1,806,150." Mind you, Mr. President, "sixty-two per cent of this assessment, or $1,128,375 covers the machinery and equipment." Just imagine, in this particular locality they will lose sixty-two per cent of that assessment, both the county and the political subdivisions.

Here is another one, Mr. President.

"4. Another plant in another community is assessed at $10,183,375. Sixty-five per cent of this, or $6,588,500, is the value placed on machinery and equipment." Just imagine what that is going to do to that political subdivision.

While I am on that subject, Mr. President, I want to say to the representatives from the second class counties, do not be too sure of yourselves when you vote for House Bill No. 573. What you had better do is give it some thought. You had better study the Third Class City Code, because you are going to be confronted with some repercussions.

The letter goes on to say, Mr. President, that "the general practice has been to assess the fixed equipment at a reasonable rate in all businesses in the County, regardless of the size."

I happen to know, Mr. President, that Westmoreland County has one of the lowest assessments on the valuation of property in Pennsylvania. As a matter of fact, Mr. President, we, of Washington County, have tried to meet Westmoreland County, but it seems to me that they are doing a wonderful job and our assessments are around thirty-one per cent.

Then he goes on to say, Mr. President, "It is to be noted that none of these assessments covers rolling stock, trucks and the like." I want you to pay particular attention to that, Senator Mahany. It says here, "It is to be noted that none of these assessments covers rolling stocks, trucks and the like. Without exception, machinery and equipment assessed for tax purposes is necessary, vital and indispensable to the conduct and operation of each plant. Items that are classified as hand tools, machine tools, portable equipment, rolling stock and off the road equipment are not listed," you understand, "are not listed for tax purposes."

Mr. President, why in the world should we pass legis-

lation penalizing a county of the third class because Erie out there has a feud? This is what I say is ridiculous. It is insulting the intelligence of every member of this Senate when someone tries to sell us a bill of goods, and House Bill No. 573 has nothing to do with Erie, not a thing. I can tell you what is back of this. The Manufacturers' Association, and the idle rich and that group who has the right and vested privilege here are trying to pass this legislation to penalize the population of Pennsylvania. That is the story in a nutshell.

Mr. President, they say we should be honorable here and not use any unethical tactics. Do you not realize that here in Pennsylvania almost every school district is at stake? Do you not realize, as Senator Wade said here a little while ago, that sixty per cent of our budget went for educational purposes? Now, you are going to take it away from the local districts. It does not make sense.

Mr. President, I know the other side is empty here. They do not want to hear what I have to say, but I want the people of Pennsylvania to know just what the score is here. We are going to have to face it in the next Session of the Legislature, all because someone has a personal peeve in Erie. Some big Republican up there has a personal peeve, and they want to take it out on all of Pennsylvania to satisfy that peeve.

It goes on to say, Mr. President, "We appreciate your help and effort for the taxpayers of the State of Pennsylvania." I want to say to the Commissioners of Erie County that I do not think my help is going to be much good. I do not think I can do too much, because it appears that here in this Senate of Pennsylvania we are under what we call a "Republican juggernaut." I can understand it, too, because this is a Republican State. Yet, the Majority Party in Pennsylvania would penalize the people of Pennsylvania. They would penalize the officials who are of their political faith. For what purpose, for what purpose? It does not mean a thing.

Mr. President, Westmore and County has not lost any industry. The industry in Westmoreland County is not complaining. The industry in Washington County, my county of Washington, is not complaining. As a matter of fact, Senator Mahany, every coal company in western Pennsylvania is against this legislation because all it will benefit is those manufacturers who have a lot of equipment. The coal companies who own real estate, active and inactive coal, are going to carry the burden and you say that this is going to help industry. It is going to penalize industry, because the coal companies have vast coal holdings in my county, Greene County, and Fayette County. They are going to have to carry the additional load.

I say to you, Mr. President, this is a vicious, rotten steal of legislation. I know we cannot do anything about it because they have the unit rule. The Republican Party in Pennsylvania rules with an iron hand. All we can do is talk, and they laugh about our efforts.

Mr. President, I hope some day that I am in the Majority. I do not know whether I will be here that long, because I am thoroughly disgusted. If I am, I want you to know this right now, and this will be in the record. If ever I am a party to legislation like this and I am in the Majority, I want every Member of the Minority Party to stand on his feet and say, "Senator Lane, you are not sincere in your efforts when you take the position you are taking here today, because we are quoting you." I will stand up and apologize and be ashamed of my actions.

Mr. President, I say that in my opinion it is pitiful that we have to take up the time of the Senate, and I have to use such tactics, to bring to the people of Pennsylvania a message of truth. You know very well that Erie County has nothing to do with the third class counties and yet you are passing House Bill No. 573. I want to repeat that I have done much research on House Bill No. 573 and House Bill No. 574, and to those gentlemen from the second class counties that have third class cities, do not be so confident because there are a few jokers in there. Mr. President, it seems that Senator Silvert wants to make a statement, so I will yield to him and I will then go on with my debate on House Bill No. 574.

Mr. SILVERT. Mr. President, I heard the Majority Leader open the debate on House Bill No. 573 by reading a letter from Erie and an editorial from one of the papers.

I do not often get letters from Erie, Mr. President, but I did get a letter on this bill. It does not come from any business organization but it comes from the type of people that we are worrying about in this Assembly. It comes from the School District of the city of Erie. The letter is brief and I should like to read it for the record:

"Senator Silvert
"State Capitol
Harrisburg, Pa.

"Dear Sir:

"Subject: House Bills Nos. 573 and 574 introduced by Representative Waterhouse.

"The Board of School Directors of the City of Erie is seriously concerned with these bills since they will eliminate the assessment of machinery in the City of Erie, a source which provides the School District with $270,000.00 per annum, this at a time when our district is hard-pressed financially.

"At the regular meeting held on May 13, 1953, the Board went on record as opposing adoption of these bills since they are particularly injurious in our case.

"We, therefore, respectfully urge that you vote against passage of these bills when presented for your consideration.

"Very truly yours,
"/s/ A. P. Logan
"A. P. Logan
"Secretary and Business Manager"

Now, Mr. President, I come from Philadelphia and I understond that whether these blls pass or fail to pass will not affect the city of Philadelphia, but we spend so much time here worrying about our school districts, and worrying about money which has to be paid to school districts, that it seems to me that the crux of the opposition to this bill is in this very letter, and that is that many school districts which are hard pressed for money will be deprived of revenue which they badly need.

Mr. President, it seems to me that it is bad legislation to pass bills of this kind when we are worryng about how much school districts can raise by their own efforts in their own locality, and then by these acts deprive them of a real source of income. I think we should vote these bills down.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

Mr. MALLERY. Mr. President, Senator Lane quoted some of the laws on taxation, and it might come as a surprise to many of my colleagues on the left when I quote from Act No. 162, of the Session of 1885, Section 20 of which provides:

"That the taxes laid upon manufacturing corporations, by and under the revenue law of this Commonwealth, be and the same are hereby abolished as to such corporations, and the laws, under which such taxes are laid and collected, be and the same are hereby repealed, so far, and so far only, as they apply to and effect manufacturing corporations: Provided, That the provisions of this act shall not apply to corporations engaged in the manufacture of malt, spiritous or vinous liquors, or in the manufacture of gas: Provided, This act shall go into effect immediately, reserving and excepting unto the Commonwealth the right to collect any taxes accrued under the laws repealed by this act."

Mr. President, this act was signed on the 30th day of June, 1885, by Robert E Pattison, Governor of Pennsylvania, who was, I believe, the first Democratic Governor of the Commonwealth.

Mr. LANE. Mr. Presdent, for the information of the distinguished gentleman from Hollidaysburg. I am quite familiar with the act which he quotes. However, there were several succeeding acts, Senator Mallery, which take care of the assessment of property and machinery, and, of course, a recent Supreme Court ruling declared that machinery is property.

Mr. President, as a brief continuation of my remarks on House Bill No. 573, I want to point out to the membership here, of the smaller counties from the fourth to the eighth class, that Allegheny County is exempt from the provisions of House Bill No. 573. In other words, it does not apply. In my humble opinion, and I feel that I am right, the only reason that they exempted Allegheny County is because they knew very well that if it was in the act, they would never pass it in the House, and in all probability they would never pass it here in the Senate, because you know and I know that the Senators from Allegheny are not going to stand by and let their county and their municipalities be deprived of approximately thirty or thirty-five per cent of their assessed valuation. You know very well, and I know, that the revenue must come from somewhere and it is going onto the small home owner.

Mr. President, that is the point I want to bring out here tonight. House Bill No. 573, my good friends, does not apply to the problems of Erie, but House Bill No. 574 does. Any argument whatsoever in regard to the problems of Erie is not connected with House Bill No. 573.

Mr. DENT. Mr. President and Members of the Senate, the hour is getting late and I do not want to take up too much of the time of the Senate, nor do I intend to repeat the arguments I gave last week against this particular bill. This bill, as you all know, vitally affects Westmoreland County, the district which I am happy to represent in the Senate of Pennsylvania

It seems to me, Mr. President, that the arguments are based upon a fallacious ground In the City of Erie, as I understand it, a taxpayer, an aggrieved citizen, took to court the city council, or the assessing body, and had them properly unler the law assess properties which have been outlined by the Supreme Court as a proper subject of taxation This little man, this little citizen, had every right under our constitutional form of government to expect the elected officials of that city to assess all and sundry, the same ts he, a home owner, wa sassessed for the privilege of living and enjoying the faclities of that city

Mr President, I have tried to bring to the Senate a picture of a county that has sucessfully met its problems. I told you that my home town would lose approximately $100,000 in revenue, almost one-third of its entire revenue if you passed this legislation. I talked to one of the Senators from a third class county and he said to me "Well, Senator," he said, "the reason we are not interested is because we do not tax machinery." I said to him, "That is not true, you do tax it. You tax it when you go in and make the assessment of a particular industry; you take into consideraton the machinery that is in that building. You may not, as they do in the county of Allegheny, tax each individual piece of machinery, and so state its amount and its value and so forth, and place an assessment against it categorically, but you do recognize the value of the machinery that is in that building."

Mr. President, if that is not true then, for instance, let us take the Armstrong Cork Company. Do you mean to tell me that the millions of dollars worth of machinery in the Armstrong Cork are not assessed, and yet the bathroom and the furnace on a man's little home, sitting out on a hillside, are assessed? Why would the man who owns that little home not have the right to go to court and ask that the machinery in that industry be assessed also?

Mr. President, machines are made for the benefit of man, and unless they replace men in employment and unless men have the kind of income which it takes to keep this community of ours in the proper schooling and proper health and welfare position, proper communications, transportation, street facilities and sewers facilities, then certainly the machinery that has displaced that manpower has reduced the earning power of the individual, has replaced the individual in the community who was paying taxes and must, of necessity, pay its share.

Mr. President, you talk about the community losing assessed valuation. I do not know what is happening up in Erie, but I do know this, that the townships surrounding many of our third class cities are suddenly being exploited for developments for housing. The third class cities are aware of it, because they are in here right now trying to guarantee their right to go out into the townships and take these communities as fast as they are developed, because they claim they are losing assessed valuations to the townships and they are losing it through the homes of the home owners who are moving out of the city areas. If you take the machinery off the taxable assessment in the city of Jeannette, I will assure you that they will have to raise their assessment on the real estate and when they do, Mr. President, more and more people are going to seek the relative tax security of the neighboring townships.

Mr. President, one of these days you are going to have to vote for a bill in this Senate of Pennsylvania to stop the raiding of the townships by the cities which are seek-

ing the developed ares. You cannot have your cake and eat it too. You cannot chase the people out and keep your machinery there.

Mr. President, you talk about unfair taxation. How much can the individual stand? You tax the individual on his wages for school purposes; you tax the individual on his wages for city and county purposes, or rather city and community purposes; you tax him on his home; you assess him on his property and you do not give him paved streets, but every industry in my town has paved streets right up to its door and they are not assessed for those paved streets, Mr. President. Those paved streets have been paid for by the home owners in that community.

Mr. President, you cannot afford to say to me, "You are driving industry out." Where is it going to go? Where is industry going? Sure, one of the industries left my town and went to Texas. I will guarantee you that it was not because of the fact that they were overtaxed. I doubt if there is an industry in Westmoreland County, and I say this with the County Commissioners sitting right over there, taxed at a tax assessment, a large industry, with an assessment of greater than ten per cent of the actual cost of building that plant. Yet, every little home owner is taxed at a greater percentage of the cost of building his home. If you will go into the industry in this State and you will tax them at the same per square and per cubic foot of area occupied which you tax the little individual in his home, I will assure you that you will not have to tax their machinery.

They expect a low real estate assessment, Mr. President, because they have such large areas, such large square and cubic areas, of factory site, and they have a right to expect a special assessed valuation because of these large areas. Our commissioners recognize that they are essential to the health and welfare of the community. Our school boards recognize that they are essential to the health and welfare of our schools and they do not assess them beyond their ability to pay. However, I do think that you do not recognize the actual fact when you say to me that your county does not tax machinery.

Mr. President, I know what is in the minds of some of these men. They believe, Mr. President, that when this bill is passed that industry is friendly enough in some of the Republican counties, and that they will not apply to the County Commissioners for a reduced tax assessment. However, Mr. President, if my industry is assessed at five millions of dollars out home before the passage of this bill, and then the County Commissioners do not reduce that industry after the passage of this bill, I believe, Mr. President, that I may, at my own discretion, go into the court of equity and demand a lower assessment upon that property. If the County Commissioners refuse on the grounds that I was assessed too low before, then, Mr. President, cannot the County Commissioners stand trial for giving special favors to special people? Have they assessed on an equalized basis? Have they assessed everybody on an equitable basis? If they have assessed some industries high and some industries low on their real estate, this bill, I think, will be exploited by many persons, including your humble servant.

I believe, Mr. President, that there will be many cases in Westmoreland County of industries which will demand a tax reduction, and if they get this tax reduction, and I know that our commissioners will have to give them the tax reduction, then, Mr. President, what happens to the homes in Westmoreland County? Do they or do they not have to take a greater share of the burden? Will they have to carry the share that is now paid by the industrial machinery which has replaced many men?

Oh, yes, I know that the more machinery that comes in, the more jobs are provided in the end, but in the meantime, Mr. President, is this economy of ours built up to benefit the machine or is it built up to benefit the man?

Ever since the beginning of time, Mr. President, man has struggled to make himself a better place in which to live and so he has developed and invented machinery. In all the instances, he has tried to develop and invent this machinery to turn it to his own good, but when that machinery becomes a burden on the body politic then I say to you, Mr. President, that the economy in which we live now will no longer be able to exist.

Mr. President, we have an example of the kind of government that does not tax machinery at all. Did any of you men in this room know that I recently took time to read "Soviet Russia, One-Sixth of the World's Power"? In this book, which was written by some churchman over in England,—the Dean of Canterbury, I think it was Dean Inge—Mr. President, it specifically states in this book that Russia does not tax machinery in any form whatsoever. No item of production is taxed under any consideration in Russia. They do not tax it, but they certainly tax the people. They certainly lay the burden on the shoulders of the workers and the toilers in the fields and in the mines and in the shops. Why, Mr. President? Because in Russia the machine is supreme, the State is supreme. The health and welfare of the State comes before the health and welfare of its people. We fight that philosophy, every one of us. We stand up and give lip service to this great America of ours. We stand up and talk about free enterprise. Is it a free enterprise of men or is it a free enterprise of machinery? Which is it, Mr. President? I would like to know.

Mr. President, the Republican Party then finds itself in a dilemma in the State of Pennsylvania. They find themselves in a dilemma right here in Harrisburg because they have committed themselves to a program of spending that is not backed up by a program of revenue and taxing. Now what are they going to do? Not being satisfied with the mess that we have here, they are going to spread the mess. Instead of having chaos only in Harrisburg, they would like to have it all over the State. They would like to have every little community in a chaotic condition. They want these communities to feel the problem that we have in Harrisburg. Here we are struggling day after day and night after night, trying to raise money, and these little contented communities are going about their business.

That can not happen, Mr. President. The Republican party cannot allow that to happen. They will have to see to it that the communities back home also get into a dilemma, also get into a chaotic state. The budgets are made up for these communities and so, Mr. President, next year when it comes time to make the budget up for the schools in the city of Erie, when it comes time to make up the budget in the city of Erie for the streets and so forth, they will have to search around for an-

other form of taxation. They will have to find somewhere to put their fingers to get money. Then the wise men in Harrisburg will sit back and laugh because they will say, "Now you know what we went through in Harrisburg; now you see it is impossible to get money when you need it. So, do not blame us for not being able to handle the tax situation in Harrisburg. You are in the same dilemma and we put you there." That is exactly what is in the minds of a great many of these people.

Mr. President, it does not, however, work exactly like that. The people will be fooled part of the time, and part of the people will be fooled all of the time, but all of the people will not be folled all the time. Sooner or later, a great majority of the people in this Commonwealth are going to awaken to the fact that you just cannot pass punitive legislation.

Mr. President, the fact that makes this Legislation punitive is this. You recognize, you say, the problem in the city of Erie; that Erie is losing its industry, that Erie is losing its industry to the surrounding communities and, yet, Mr. President, Allegheny County taxes machinery, but you exempt Allegheny County. Are they different? Are the people in Allegheny different than the people up in Erie? Are the taxpayers in Erie to be condemned because they have to have a tax on machinery and the people in Pittsburgh are not to be condemned because they have a tax on machinery?

Mr. President, the weakness of the arguments in favor of this bill stand out so strongly that a blind man with his cane could feel the silhouette. I cannot understand how any normal person could sit is this Senate and intelligently vote for this piece of legislation, when you say on the one hand that it is unfair for the city of Erie to tax machinery but it is fair for Pittsburgh and Allegheny County.

Mr. President, where, oh where, do you get that kind of logic and make sense out of it? If it is wrong, it is wrong for all of the subdivisions of government. I heard it said here a minute ago that Philadelphia does not tax machinery.

Mr. President that is not true. They tax all the machinery in a building which would go with that building if there were a sale of that building. They tax the machinery that is attached to that particular industry, just the same as they tax a bathroom in a man's home. That is as true as I am standing here.

Mr. President, if you think some industry will not take advantage of it and say, "We were assessed so much before and we are entitled to a reduction now." If they do not get a reduction, then the commissioners or the taxing body is dishonest. If they say that twenty-five per cent of all the taxes levied in Westmoreland County come from machinery, how can they in clear conscience, how can the commissioners in good conscience, do other than reduce the assessment twenty-five per cent in any plant that carries machinery? When they reduce it twenty-five per cent, where is this county going to get money to meet its obligations? There can only be one answer, and that is it will fall on the home owners.

I have pointed out, Mr. President, during all the tax discussions in this Session of the Legislature and during the last Session of the Legislature, that the only taxes which have ever been talked about are the taxes that directly can be traced to the people. They are willing to pass a sales tax or an amalgamation of sales taxes so long as they hit the people. I still cannot understand why the welfare of the people should always come secondary to the welfare of industry.

Mr. President, they have two classes of people in this Commonwealth of Pennsylvania. The Republican Party recognizes two classes of peoples They recognize the people who work in the factories and belong to unions and they say, "These are properly the subject of taxation." Then they recognize the farmer and the man who tills the soil and they say, "These peoples are a favorite few and are not a proper subject of taxation." We have had discussions about legislation that affects the farmer, and unanimously we always exempt the farmer wherever we can. Never have I heard, in all the years I have been here, one proposal from the Republican Party to exempt the man who stands up and toils at the mills and in the mines and in the shops, the producers of the great wealth of this Country of ours, the man who makes it prosperous also for the farmer.

So, Mr. President, if we are to agree here tonight that they have enough votes, and regardless of the arguments we make, they are going to pass this legislation, then I, for one, will say this to you. I am going to personally go before the Governor of the Commonwealth and point out to him the inequity of this legislation, the unfairness of this legislation, the diabolical scheme which plans to disrupt a good, honest, endeavoring county and many counties and communities in this State. I will ask him, as the Governor of this Commonwealth, forsworn to a public duty, to treat all of the citizens alike. So long as he is Governor of this Commonwealth, he cannot sign this legislation and make fowl out of the people of Westmoreland County and fish out of the people of another county Either this taxation or this bill is good for all of the peoples or it is no good for any of the peoples. So, upon that ground I stand.

Mr. President, I will personally go to him, representing the 312,000 people of Westmoreland County, and lay before him the facts in this case, because he is not going to get the facts if he reads the record from the other side. There are no facts that can ever sustain an argument which says that a tax is fair upon one and unfair upon another. You cannot place upon the home owner in Westmoreland County a burden that you are unwilling to place upon the home owner in Allegheny County. You cannot exempt the machinery in Westmoreland County and hope to steal the machinery from Allegheny County.

Mr. President, if what the gentleman from Meadville says is true, then I would say to the people of Westmoreland County, "Let us drive into Pittsburgh in droves; let us go in and talk to the people who own the industry in Allegheny County and say to them, 'Move out of this tax-heavy county Your machinery is taxed here. Move right across the border into Westmoreland; we do not tax your machinery'." So, what happens? If what he says is true, then there will be a grand exodus of industry out of Allegheny County over into Westmoreland. Then we will benefit. We will get the jobs; we will get the home.

Mr. President, is that the proper way to pass legislation? Is it proper to pass legislation that would, by any stretch of the imagination, benefit one community at the cost of another, at the expense of another? Is it proper to say to the people of Westmoreland County, the indus-

try, "Although you are a competitive industry with an industry in Allegheny County, we are relieving your tax problem, but we are not going to relieve the tax problem of the industry that is your competitor in Allegheny County"? I think you know, Mr. President, since you are my neighbor, that there is nothing that separates your peoples and mine except an imaginary surveyor's line. So, it is not so long or hard for any individual industry to move across the so-called surveyor's line, and move into my county, and save all of these thousands of dollars. Let me explain to this Senate what I happen to know to be the truth.

Mr. President, this bill may have started up in Erie. However, it has gone far beyond the borders of the city of Erie. Right now, the prime movers for this legislation are a group of persons who own and operate in the Commonwealth of Pennsylvania many, many institutions. Most of these institutions—for instance, let us take the proposition of not taxing any machinery, any of the facilities in a plant. As I understand it, and maybe I am wrong, some communities tax gasoline pumps. Now, Mr. President, they consider them as property, under the Real Estate Property Act. If these machines, or these pieces of equipment, are no longer taxable, then all that will be taxed in all of the gasoline filling stations in the Commonwealth will be nothing but the four cement block walls. Now, by any stretch of the imagination, you cannot put too much valuation upon those four, black concrete walls.

So, Mr. President, we find ourselves in the position where the gasoline service stations will probable be the biggest single beneficiaries under this act in the entire Commonwealth of Pennsylvania. The more little stations that a company handles, the more benefits they will receive.

Mr. President, I will tell you how it works. For instance, a man has a nice piece of ground and a very nice, proper place for a gasoline station. They come out and say to him, "If you will build a gas station on that property, we will give you a lease." The lease will be based upon the cost of construction, which they control. The taxes that you pay on that particular building and the insurance that you have to pay, including the interest on the money that it took to build it, are on a basis of about twelve per cent of the cost.

Mr. President, all of these gasoline companies have nothing in that building except four walls. If the individual builds the four walls, or three walls, because the front is usually a door, when he builds this simple little concrete block wall—and that is ninety per cent of the gas stations in Pennsylvania—the entire valuation of that property cannot be, in our county, over four or five hundred dollars. When the gasoline company comes in and places about eight to fifteen thousand dollars worth of machinery in there, then that site becomes a valuable real estate property. Under the law, that real estate property is then assessed somewhere near its value to the community, its value to its owner, its value to its operators. Pass this bill and the gasoline companies, who recently put more than one and nine-tenths cents on every gallon of gas being sold in Pennsylvania, will be the largest beneficiary under this act.

Mr. President, you can talk about your big industries. They know and I know that they are not going to go into Allegheny County and take the tax off of the blast furnaces, off the rolling mills. They know that they could not possibly do that. You would have a revolution of the little peoples if you tried to just tax the four walls of the Jones-Laughlin Steel Company, or the four walls of the Bessimer Plant at Johnstown. Mr. President, you cannot do that, but the little individual gasoline station will benefit to the tune of perhaps $150 or $200 in taxation. Multiply that by the thousands of gas stations and you will find the real secret of the push behind this piece of legislation.

Mr. President, I am telling you that that is the the gospel truth. I know what is behind it, and every fair-minded person in this room knows what is behind it. I know you are sitting over there smug, saying, "They are not going to reduce the tax out here at the Harrisburg Steel." No, because you know they are not going to do that because the plant itself is undertaxed as it is. It is under assessed. So, perhaps for a period of a year you may have some adjustment. However, in the end the assessing body can go out and raise the assessment on that Harrisburg Steel up to exactly where it is. That is the scheme behind it.

Mr. President, if that is true, then the argument of the Floor Leader on the other side falls flat on its face, because big industry will not benefit. Their tax assessments will not go lower, and I assure you that they cannot go lower without assessing the home owner. No County Commissioner worth his salt is going to take the assessment off of industry and put it on the small home owner if he can help it.

Mr. President, who is going to benefit with all of this talk which we are going through, all of this trouble we are going through, all of the chaotic conditions that you are going to arouse and create in the Commonwealth of Pennsylvania? The one single beneficiary who will gain a great deal in Pennsylvania is the gasoline station operator, chain operators in the Commonwealth of Pennsylvania. Basically, that is the reason for the passing of this act of the Legislature. There is no other reason. Erie happens to be the scapegoat; Erie happens to be the alibi.

Mr. President, I assure you if they take that tax off in Erie, they will have to put it on real estate, and I do not think they will have the courage to do it in the end. They will raise the assessment of the real estate property itself, even if they take if off machinery. There may be some adjustment, and in Westmoreland County the commissioners will admit that they cannot add twenty-five per cent to the peoples' assessments in Westmoreland County and get away with it.

Mr. President, I might say to them publicly, too, this is the first time that the Republicans have been in power in twenty years in Westmoreland County, and I will assure them that if they put it all on the home owner, it will be the last time that they will be in for twenty years. They know it and I know it. They are not fools, they are intelligent men working for the benefit of their county and I doubt, unless they are taken to court, that there will be any tax relief whatsoever for any of the industries you are worrying about. However, I will assure you that the gasoline stations will get the relief; there will be no tax on the pumps; there will be no tax on the grease racks; there will be no tax on any of the equipment that is used in that gas station if you pass this bill. The beneficiaries will be, and I will repeat again and

I will be here two years from now to prove it, the biggest beneficiaries, if you pass this act, will be the gasoline stations, chain store operators, in the Commonwealth of Pennsylvania.

Mr. President, I have said as much as I care to say. I know that no matter how many arguments I give you to the contrary, you are subscribed to vote for this legislation and you will vote for it. However, do not come to me, and I can say for my group over here, do not come to us and ask us for any votes to put any more taxes on the poor people and the home owners of Pennsylvania to balance your budget in Pennsylvania, because if you are going to stick this twenty-five per cent on my people in Westmoreland County, I will not sit idly by and pass any more taxes, regardless of the label you give them, if they are assessed against the peoples themselves in Westmorland County.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

And the question recurring,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President and Members of the Senate, I really thought that the Republican Party had paid off their debt to oil when they gave them the $29,000,000,000 worth of oil off the coast of our Country.

Mr. President, I did not think that the Republican Party of Pennsylvania was going to go as low as they are now going in paying back the political donors, contributors, to their party fund. That is the only way in which you can describe this bill. It is giving back to the contributors the amount of money which they gave you to use in your election campaign over the last few years.

Mr. President, I have heard Senator Wade, Senator Hare and the Majority Leader, with tears in their eyes, speak about the poor school teachers in Pennsylvania. I heard them say that the school system would collapse if we did not give them the required amount of money that was necessary. Now I find these same gentlemen lined up to take away from the local school districts their source of income which has helped those schools get on their feet.

Mr. President, I believe that, as an Allegheny County representative, it would be very deceitful on my part if I should vote to take the taxes from machinery in other counties and not vote to take the taxes from machinery in my own county. I cannot grasp the reasoning here why you are willing to vote to take the taxes from machinery in other counties and leave our county go unscatched.

Mr. President, I want to draw particularly to the attention of the Members of our Senate from Allegheny County that we have two third class cities who advised us in 1951, when this bill was first considered, that if this bill passed as it is now they would lose the income from the tax on machinery in both Clairton and McKeesport.

Mr. President, I notice the gentleman from Erie is not present and I think Senator Blass is entitled to hear what I intend to say about Erie. Mr. President, is Senator Blass in the Senate Chamber?

The PRESIDENT. Does the Senator from Allegheny suggest that I dispatch the Sergeant-at-Arms?

CALL FOR A QUORUM

Mr. HOLLAND. Mr. President, I note the lack of a quorum and I ask for a roll call.

Mr. HALUSKA. Mr. President, I second the request for a call for a quorum.

Mr. YOSKO. Mr. President, I second the request for a call for a quorum.

Mr. LANE. Mr. President, I second the request for a call for a quorum.

The PRESIDENT. The request for a quorum having been called for by the gentleman from Allegheny, Mr. Holland; the gentleman from Cambria, Mr. Haluska; the gentleman from Northampton, Mr. Yosko; and the gentleman from Washington, Mr. Lane, the Clerk will call the roll on the quorum.

(During the calling of the roll, the following occurred:)

Mr. BLASS. Mr. President, I wish to be recorded as being "present."

The PRESIDENT. The gentleman from Erie will be so recorded.

Mr. McCREESH. Mr. President, I wish to be recorded as being "present."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Mr. CROWE. Mr. President, I wish to be recorded as being "present."

The PRESIDENT. The gentleman from Monroe will be so recorded.

Mr. FLEMING. Mr. President, I wish to be recorded as being "present."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were required by Mr. HOLLAND, Mr. HALUSKA, Mr. YOSKO and Mr. LANE, and were as follows, viz:

PRESENT—41

Bane,	Hare,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Berger,	Kessler,	McPherson, Jr.	Wade,
Blass,	Lane,	Miller,	Wagner,
Camiel,	Leader,	Pechan,	Watkins,
Crowe,	Letzler,	Peelor,	Walker,
Dent,	Madigan,	Propert,	Watson,
Diehm,	Mahany,	Ruth,	Weiner,
Fleming,	Mallery,	Silvert,	Wolfe,
Freed,	McCreesh,	Stevenson,	Yosko,
Haluska,			

The PRESIDENT. The roll having been called and 41 Senators having answered "Present," the Chair declares a quorum to be present.

And the question recurring,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. HOLLAND. Senator Mahany, is the Talon Company one of those companies which are complaining about taxes?

Mr. MAHANY. They are not complaining, Senator; they have left the city, I understand.

Mr. HOLLAND. They left the city?

Mr. MAHANY. That is right.

Mr. HOLLAND. What other company was complaining about taxes?

Mr. MAHANY. I think it was the Resistor Corporation. I had them here; there was the Read-Standard and the Erie Resistor.

I might sum it up by saying that since this machinery tax went into effect, Senator, there has not been one new industry come into Erie, but several have left.

Mr. HOLLAND. Mr. President, I would like to further interrogate the gentleman from Crawford.

The PRESIDENT. Will the Majority Floor Leader permit himself to be further interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. HOLLAND. Senator Mahany, how long after the taxes were placed upon machinery did these people leave?

Mr. MAHANY. Very shortly thereafter. Perhaps Senator Blass would know more about that local situation than I do, as to the length of time. I know they have gone but just when they went, I cannot answer that. It was shortly after this machinery tax went into effect up there.

Mr. HOLLAND. How long has the tax been on?

Mr. MAHANY. A couple of years, I guess; since 1950.

Mr. HOLLAND. Will the gentleman from Erie permit himself to be interrogated?

The PRESIDENT. Will the Senator from Erie permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. HOLLAND. Senator Blass, when did they begin taxing machinery in Erie?

Mr. BLASS. Since 1950, and ever since then the industries have been leaving Erie and a great many of them haxe expressed their intention so to do.

I want to tell the Senator from Allegheny that it has cost the city of Erie all of the expansion program of the General Electric Company, it lost the Erie Resistor to the State of Mississippi and I have in my hands a number of notations that unless some remedy is offered, they are going to seek their fields elsewhere.

Mr. HOLLAND. Senator, are you aware that if this tax is taken away from industry, it will have to go on the home owners of Erie?

Mr. BLASS. The result is so small, the amount is so small, so far as the amount of money which has to be raised by the two municipal subdivisions, that there is a very great chance of having that acquired elsewhere without any serious inconvenience and without discommoding anybody.

Mr. HOLLAND. Mr. President, I would like to further interrogate the gentleman.

The PRESIDENT. Will the gentleman from Erie permit himself to be further interrogated?

Mr. BLASS. I will, Mr. President.

Mr. HOLLAND. If this amount is so small, why did the companies object?

Pardon me, Mr. President, I will put my question another way. Can you tell me how much more in percentage did the industry of Erie have to pay when the tax was placed under the 1950 Act?

Mr. BLASS. I think there is about two hundred and some thousand dollars figured by the school district, and apparently it would not be much more than that for the city of Erie itself.

Mr. HOLLAND. Mr. President, what was the assessed valuation of the real estate of the companies involved? This is very important in proportion to this tax.

Mr. BLASS. I cannot tell you that.

Mr. HOLLAND. Mr. President, I think this matter should lie over until the gentleman from Erie gets that information.

Mr. BLASS. I will be very glad, Senator, to read to you—

Mr. HOLLAND. Will you agree to hold this over until we get that information?

Mr. BLASS. No, I have no control over holding this over. This is up here for action today, and I think that this is the time to decide it.

I would like to read the amount—

Mr. HOLLAND. I write those letters myself, you know. The letters which you get from these corporations are all the same. They are always growling about taxes, and you are growling about taxes on your brewery, too.

Mr. BLASS. I have no discussion along that line, Senator, but I do have a very important notation which appeared in the Erie Times in connection with a letter from the Hammermill Paper Company, and I would like to read that to you, which is self-explanatory on the situation as it exists.

Mr. HOLLAND. Mr. President, unless the gentleman from Erie has the information pertaining to the difference between the taxes before and after this bill was passed, his speech does not pertain to the point about which we are now arguing. We are arguing about the terrible increase in taxation on these corporations.

Do you have in your possession the difference between before and after taxes?

Mr. BLASS. Here is a Western Union telegram, which I think answers your question. It says that they have quoted the city assessor as saying that $71,000,000 was the Erie City assessment on industry and that includes $32,000,000 on machinery, leading to the conclusion that the city would base the latter amount as the tax base. On questioning, he has now admitted to me that much of the value included in machinery is attributable to structures which always have been and would still be taxable as real estate in the absence of a so-called machinery tax. For instance, he admits "large structures of local blast furnace and pulp digesters of paper mill are now classified as machinery though always formerly assessed as real estate. The obvious inference is that the opposition is padding its figures of magnitude of loss of tax base and that perhaps $10,000,000 of so-called machinery would still be taxable."

Mr. HOLLAND. Mr. President, that will be all. I am glad that the gentleman brought that point out and I hope that Senator Dent was listening, because Senator Dent just made the statement stating that. According to your telegram, your telegram states that after this bill is passed, the city of Erie is still going to tax the blast furnaces and other equipment of the different corporations. Is that right?

Mr. BLASS. The tax would still remain on that portion of the machinery which, in law, is the cost of the real estate and is always known in the law to be a part thereof.

What we are complaining about in Erie, and what they should complain about all over the State, is that if they enforce the present act in other portions of the State, they would tax not only that portion of the machinery which is always part of the real estate and taxable assets, but all of the loose personal property would be classified as real estate and this would be unfair and very discriminating, particularly when it applies only to the manufacturer and does not apply to the person who oper-

ates a truck or to a railroad which operates certain cars and engines on the grounds of the manufacturing plant. It is a discrimination against the manufacturer, and so to show the gentleman from Allegheny—

Mr. HOLLAND. Just one minute, I wonder if the gentleman knows that the former Mayor of the city of Erie, Mr. Barber, came down to this Legislature a number of times to have the real estate of the utilities in Erie taxed. I have never heard it said that they were getting a free ride in the county of Erie and I have yet to find—I am further interrogating you.

Mr. BLASS. I would like to interrogate the gentleman from Allegheny.

Mr. HOLLAND. You can interrogate me when you get the floor. Thank you for taking up so much time. I appreciate it.

Mr. President, Mr. Barber came down here and appeared at a public hearing on a bill which I had introduced way back in 1937, 1939, 1941, 1943 and so forth, in which we tried to tax the real estate of utilities in Pennsylvania. At that time, Mr. Barber was very emphatic in having this legislation passed. I am very much surprised that the gentleman from Erie, Senator Blass, had not continued the fight made by Mr. Barber, who is a part of the Administration in Harrisburg today.

Mr. President, let us get back to the story about the blast furnaces and so forth. I think Senator Dent pointed out very clearly that behind this are the oil interests. We all know that the oil interests of Pennsylvania have always been very good contributors to the Republican Party, especially one which has a very pleasant lobbyst in Harrisburg. I believe they have done a magnificent job in trading off votes for bills among those who have received political donations from them to get support for this bill.

Mr. President, the reason I am surprised at Senator Blass is that he does not insist that every county in the State of Pennsylvania should go along with his idea. Why does he exclude Allegheny County, and why does he not demand, if he is such a great believer in this excluding machinery, that these bills be amended.

I would like to ask another question of the gentleman from Erie and, since he is an attorney, I would like to have a "yes" or "no" answer.

The PRESIDENT. Does the gentleman from Allegheny, Mr. Holland, desire to further interrogate the gentleman from Erie, Mr. Blass?

Mr. HOLLAND. Yes, Mr. President, I do.

The PRESIDENT. Will the gentleman from Erie, Mr. Blass, permit himself to be further interrogated?

Mr. BLASS. I certainly will, Mr. President.

Mr. HOLLAND. I do not ask for an explanation; I only ask for a "yes" or "no." Will you agree to extend you bill to all sixty-seven counties?

Mr. BLASS. The bill, as I get it, is extended from the fourth to the eighth class counties, under House Bill No. 574. The other bill covers cities, boroughs and so forth.

Mr. HOLLAND. Why will you not extend this to all the counties?

Mr. BLASS. It is at the present time.

Mr. HOLLAND. Is Allegheny County in this bill?

Mr. BLASS. No, because they have their own Second Class County Code.

Mr. HOLLAND. That is all I wish to know, Mr. President.

Mr. President, it seems to me that Erie is the only place that wants help with the exception, of course, that the oil company is given a good break. I agree with Senator Dent that the pumping stations in most of these places are at very valuable corners and the real estate they build, that is the buildings, will be of very cheap material and will not get a large assessment. When you take the pumps and the grease racks out, they will get by with a very small amount of money.

Mr. President, I do think that the Senate is demonstrating, by this bill, that the thinking of the Republican Party has never changed from the days of Hoover. I think that there may have been at some time a burst of progressiveness, but it was soon lost in the light of the reflection from the dollar bill. They are again back in the same old thinking, that industry should get everything and the people should get what is left over.

Mr. President, we all know that industry today requires very well educated people, because in machinery today the man's hands and mind must work together. That is one of the reasons why we have been ahead of the iron curtain countries. Even Russia recognizes the fact that education must come before great productivity. Here is industry, saying to the people of Pennsylvania, "We want the best in education you can give us, but don't you let us pay for it. We are not the party to pay for the cost of education, although we require this education to have greater productivity and to make larger profits."

Mr. President, I am sorry that the gentleman from Crawford, Senator Mahany, did not get the financial report of these corporations, which left. As far as G. E. is concerned, I do not think the statement he made is true, because G. E. had no plans and they had reasons for not having plans for expansion in Erie County.

Mr. President, Senator Blass, in one of his arguments, stated that he knew—I think Senator Mahany said it—that the workers up there were all in favor of taking the tax from real estate. That is not true. If they would understand how an industrial union council functions, they would find out that no industrial union council could put their name to this bill unless they had a vote of the workers affected. Each labor union in Erie County has delegates, elected by the rank and file, to the Erie Industrial Union Council. They would have to have a meeting of both their executive board and the members of the council before they could have inserted in the Erie newspapers this advertisement.

Therefore, Mr. President, I can say to Senator Mahany, without fear of contradiction, that the workers in Erie are not in favor of freeing the machinery of these corporations from taxation. When one segment of society does not pay their share of taxation, the other segment must not only bear their rightful share but also bear the share of the other segment which is so excused.

Mr. President, I believe that inasmuch as we do not have this information on the differences in taxes between what was paid from the time the tax was placed and today, we cannot intelligently vote on this bill.

MOTION TO RECOMMIT BILL

Mr. HOLLAND. Therefore, Mr. President, I move that

this bill be sent back to the committee from which it originated for a public hearing and for reports from the assessing bodies of Erie, Pennsylvania.

Mr. LANE. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I rise to oppose the motion and ask by colleagues to vote "no" on it.

And the question recurring,

Will the Senate agree to the motion?

Mr. HOLLAND. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. HOLLAND and Mr. LANE and were as follows, viz:

YEAS—12

Camiel,	Lane,	McGinnis,	Stiefel,
Dent,	Leader,	Ruth,	Toole,
Holland,	McCreesh,	Silvert,	Yosko,

NAYS—29

Berger,	Harney,	Mallery,	Taylor,
Blass,	Kephart,	McCusker,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Walker,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Diehm,	Letzler,	Peelor,	Watson,
Fleming,	Madigan,	Propert,	Wolfe,
Freed,	Mahany,	Stevenson,	Wood,
Hare,			

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

MOTION TO POSTPONE BILL

Mr. HOLLAND. Mr. President, I am firm in my conviction that the Members of the Senate should have the reports from the assessing and taxing bodies of Erie so that they can vote intelligently on this bill.

Therefore, Mr. President, I request that the Majority Leader request this information from the proper authorities in Erie County, and I now move that this bill be placed on the Postponed Calendar; that is, House Bill No. 573, Printer's No. 226.

The PRESIDENT. On the Third Reading Postponed Calendar?

Mr. HOLLAND. Yes, on the Third Reading Postponed Calendar.

Mr. LANE. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, I really realize now that there must be some powerful influence back of thi bill. I believe it has the dollar mark on it.

VOICE FROM FLOOR. Right.

Mr. HOLLAND. We all know that that is the god of the Republican Party.

VOICE FROM FLOOR. Right.

Mr. HOLLAND. I am very glad that my colleague an County Commissioner of Allegheny County, who also represents a third class city affected by this bill, has answered me by saying "right" every time I make a statement.

Mr. President, I still have the floor and I believe the gentleman from Allegheny County is out of order. The gentleman from Allegheny County I think has been very strict as a disciplinarian when he has been in the Chair, in keeping order, and I think that when he is not in the Chair, he should act accordingly—not do as I bid you, but do as he should do—in conformity with the Rules of the Senate. This is not a playful issue; this is an issue which affects the pocketbooks of the people of Pennsylvania. I do not think it should be made into a joke by wise answers and cracks by the gentleman from Allegheny, Senator Walker.

Mr. President, it is the same old story which we have heard here over the years. In my twenty years here in Harrisburg, I have seen the story re-enacted until we have the people of the State losing their confidence and faith in the people in government. The only people who are not represented here are the little men, who have a mortgage on a home and who have kids in public school. These are the people who are going to be hurt by this bill. This is going to disrupt your school system in all the counties where machinery is considered as part of the real estate. The school system is going to be hurt. Next to that, the little home owner is going to be hurt more, because he is going to have his taxes raised.

Mr. President, I am very much surprised to hear the gentleman from Erie practically state that he knew the taxes in Erie were going to be raised, but he said it was going to be of such an infinitesimal amount. Will it be an infinitesimal amount, in his eyes, to the man who owns real estate? Why is it an infinitesimal amount to the man who has millions in profit out of industries like the General Electric in Erie? It is surprising that he always becomes alarmed when we feel that the vested interests are going to be taxed. He has no alarm for the little home owners in the city of Erie or in the counties affected.

I say to you, Mr. President, this is one of the reasons why there arises in America movements from time to time which doubt government, which doubt the honesty of people in government, and which think that legislation goes to the highest bidder. That is why people are difficult to get to the polls any more, because they say, "Why vote? We are not represented either in Harrisburg or in Washington." It goes on and on.

Mr. President, I say legislation of this type is bad. It is breaking down our form of government; it is showing the people of Pennsylvania that they have no lobby here. The big oil company is well represented; the manufacturers are well represented. They have plenty of money to entertain; they have plenty of money to spend around election day. The little man who owns a home is not here. He is absent.

Therefore, Mr. President, I sincerely hope that the Republican Party will reconsider the whip that was put upon them in their Caucus, when they were whipped into line. A number of the Members on the other side told me personally that they were going to vote against this bill, but had to change their minds. Who had the whip? Who was talking to the leaders of the Republican Party? Somewhere and some way this has been done.

I say to you, Mr. President, if this bill is passed, it is only further proof that in Pennsylvania, under the Republican Party, legislation is offered to the highest bidder.

Mr. BLASS. Mr. President, I am very much perturbed about the last remarks made by the gentleman from Allegheny, Senator Holland.

Mr. President, if there was ever a champion of the workmen in Erie, the Senator from Erie was one. I am concerned about these bills for the future of the workmen in the city of Erie. If the developments of the last two years are continued for any further length of time, I would rather, indeed, pay a small increased local tax rather than have the workmen of the city of Erie deprived of a place to work.

Mr. President, I feel very confident that that will happen if this machinery tax is not removed from industry in the city of Erie, in order to keep industry in that city and keep that city progressive both for industry and for labor. My vote did not come from the manufacturing industry in the city of Erie, and the gentleman from Allegheny knows that. It came from the workmen, and it is from the standpoint of the workmen that I am concerned because if they do not have any place to work, then there is no chance for their future.

Mr. YOSKO. Mr. President, although the hour is late and I am tired, like I suppose everybody else in the Senate, I must rise to oppose this bill. I must rise to oppose it because, first, I believe it will adversely affec' the county in which I live, which is a fourth class county, and, second, because I believe it will adversely affect the State of Pennsylvania as a whole.

Mr. President, I called the Chairman of the Board of County Commissioners of my county about this bill. Everybody in this Senate Chamber is acquainted with him. He is a Republican and his name is Norman Peil. I asked him to make a list of all of the industries in Northampton County, and I might say now that Northampton County is blessed with industry and I am happy about it. I asked him to prepare a list of all of the industries in Northampton County and the amount of the assessments against those industries. Mr. Peil said he would prepare such a list for me, but unfortunately it was not delivered to me before I left Bethlehem for this session.

Mr. President, I also asked Mr. Peil what he thought of this bill, and Mr. Peil replied that he thought it was a terrible bill and should be defeated. I asked Mr. Peil further whether machinery in industry in Northamptor County was assessed and he said as such it is not assessed but it figures, he supposed, in an assessment. I then asked him whether, if the bill were passed, it was possible that numerous appeals could or would be taken from assessments that were made, and he said that that possibility existed because if an assessor, when making an assessment, would assess on the bais of an empty building, he certainly would not give the ame value to the building that he would give to it with machinery in it, so that indirectly the assessment against a building with machinery in it does figure in the assessment.

Mr. President, those who have industrial plants could, if this bill were passed, say that the assessment made against the building was too high because the machinery was considered. That being true, I have a right to say that this bill, if it is passed, would adversely affect the school districts, as well as the local municipalities in the county in which I live and the county which I represent.

This bill, Mr. President, as I understand it, was presented to the Legislature at the last Session and it was defeated in the House. However, those interested in the enactmnt of this bill, and I do not believe it was the local citizens of Erie, did not quit. They arranged to introduce this bill again at this Session.

Mr. President, I will now, for the record, give a little history of it. This bill was introduced in the House by Mr. Waterhouse on March 9, 1953, and was referred to the Committee on Municipal Corporations. On April 28, it was reported from committee as amended. On May 4, it passed first reading. On May 5, it passed second reading. It passed third reading, with amendments, on May 11, and when it came up for final passage on May 13, it was defeated by a vote of 102 to 95. In other words, it was shy three of the needed votes.

Mr. President, those interested in the bill did not quit there. Senator No. 51 and Senator No. 52 got busy. One represents the railroads and the other represents the oil people, and they tell me that they were busy over in the House from May 13, when the bill was defeated, up until the time it was passed. The lobbyists resurrected the bill, because it was reconsidered on May 20, postponed for the present on May 20, the time extended five days which gave the lobbyists their time to work and to make their contacts—Senators No. 51 and 52—and then it passed finally on June 10 by 107 to 91.

In other words, Mr. President, in the first attempt it was licked by three votes and the second attempt was successful by two votes. That is the history of it. Since Senators No. 51 and 52, considering whom they represent, are so anxious to have this bill passed and have so great an interest in it, I am convinced that the issue is not Erie County, but the issue is the entire State of Pennsylvania.

Mr. President, sources of taxation are more or less exhausted, as I will point out a little bit later, so these lobbyists, fearful of the fact that perhaps a tax would be levied against them on a State-wide basis, wanted to make sure that it did not happen and, hence, this bill.

Mr. President, I do not blame Senator Blass to a certain extent for being for this bill because he represents Erie County, but those of us who are here must consider legislation not as it affects one municipality but the question is, "How does it affect the State as a whole?" What is best for the State; not what is best for a local municipality. At least, that is what I was told when I stood before this microphone at the 1949 Session when I fought a bill which destroyed a series of homes down in the city of Easton. I was told, "Sure, it will affect the people in your area, but we have to consider this as an over-all picture. We have to figure on the people as a whole over the State," and the bill was passed. If that was true then, it should be true now.

Mr. President, the fact that this is a local issue was made clear by Senator Mahany when, in his remarks, he outlined how a tax on machinery affects the city of Erie. He did not mention any other county, any other municipality in Pennslyvania. He confined it to Erie. If I know anything about politics, gentlemen, then I will say that if it is a local issue it should be decided locally and has no business here. How do you decide local issues locally? You decide them at the polls.

Mr. President, I understand the Democrats are in power in the city of Erie and that the Democrats levied this tax on machinery. If my memory serves me correctly, Senator Blass said that the tax was levied in 1950. We had an election in 1951, and we had another one in 1952 and we have an election there now. If the tax was unjust, if the tax was unpopular, if the tax was detrimental to a majority of the people in the city of Erie, then it should have been made an issue, an issue by candidates who would be against that tax, and submitted to the people at the polls and let the people decide. I understand, however, that even though the tax was levied three years ago, the Democrats are still in power and the Democrats levied the tax. I still say it is a local issue, and it should be decided locally and has no business here if it is strictly a local issue.

Mr. President, as I said before, since Senator No. 51 and Senator No. 52 are interested, I am convinced that it is not local. It is State-wide; that is what it is.

Mr. President, Senator Mahany said that its affect on industry may drive industry out of Pennsylvania. Members of this Senate and, Mr. President, every time a tax is proposed against industry it is the same old cry, "You will drive industr out of Pennslvania." However, when the time comes to take credit for the prosperit of Pennsylvania and the great industrial expansion, the Republican Party never hesitates to take credit for it.

Mr. President, I am going to read to you a portion of the speech delivered by Governor Fine on January 6, 1953, when this Legislature convened. This is what he said about industry in Pennsylvania and the prosperity it was enjoying. I quote from his speech:

"Our people's income and their employment have been gratifyingly high. A record number of new businesses and industries have come into the State. Industries already here have greatly expanded. In consequence, Pennsylvania has achieved economic progress far above the national average."

Does that look like we are driving industry out of Pennsylvania, Mr. President? Why, of course, it does not.

"In 1951 and again in 1952, Pennsylvania ranked first in the Nation in expenditures for construction, expansion, ad equipment of industrial plants."

Does that sound like we are driving industry out of Pennsylvania, Mr. President? Why, of course, it does not.

Then, Mr. President, the Governor goes on and he says:

"Nearly two and one-half billion dollars of new capital investment came into Pennsylvania in 1951. This amount went into 677 new or expanded industries and furnished close to 152,000 new jobs."

Does that look like industry is being driven out of Pennsylvania? Of course, it does not, Mr. President. It is just the opposite.

Then the Governor goes on and he says:

"Comparable figures for 1952 are not presently available, but for the first nine months of last year some 420 new industries added to Pennsylvania's industrial growth. Just how much money is involved and how many new jobs have been furnished from this source in 1952 is unavailable at this time."

Does that apear to you, Mr. President, as though industry is being driven from Pennsylvania? Of course, it does not.

"Pennsylvania is the only State in the Nation with a recent record of new manufacturing plant construction in every one of the 20 major classifications of American industry. It has been and still is the greatest single contributor among the States to national defense."

Does hat appear as though industry is being driven out of Pennsylvania, Mr. President? Why, of course, it does not..

"Our story of industrial growth is unmatched elsewhere in the Nation. It easily eclipses all previous Pennsylvania records." That was prior to the time this tax was levied in Erie.

Does that appear as though we are driving industry out of Pennsylvania, Mr. President? Of course, it does not.

Then, Mr. President, the Governor goes on to say:

"This most gratifying story in some measure is the result of administrative as well as legislative energy and cooperation in making Pennsylvania bigger and better.

"We have been as economically minded as time and the governmental structure we found under an outmoded Constitution permitted. We propose to be even more economically minded during he remainder of our tenure of office. There is much to be done and in so far as the executive branch of your government can accomplish it, it will be done."

Mr. President, I would like to know what was done during the six months we have been in Session to effect any economy. Members of this Senate, we talk and talk and talk about taxes, and I want to read from the Republican Platform on taxes, and it has to do with his problem. Under "Taxation" in the Republican Platform, which is listed in the Legislative Journal, Volume 32, No. 1, this is what the Republican Party said about taxes:

"Taxes, if needed to provide for the internal security of the Commonwealth and for the general welfare," and the general welfare takes in all of the State, "of all of the people of Pennsylvania, will be levied without placing undue burdens upon any group or class."

Mr. President, is this bill in conformity with that platform pledge? Why, of course, it is not.

Mr. President, as has been so ably stated here this afternoon by many of those who preceded me, if this tax is removed and abolished from industry which is enjoying the greatest prosperity that it has ever enoyed over a period of years, according to your own Governor, the tax will have to be placed, as was stated before, on the small home owner.

Here in this Legislature, Mr. President, we have what we call a Local Government Commission, and the members of that Local Government Commission are appointed to help solve the problems of local governments. Each of the gentlemen on that committee worked hard and conscientiously and, I believe, are conscientious legislators. How they could, in the face of what will happen if this bill is passed, vote for this bill is beyond me. We have a Joint State Government Commission, set up to study the problems of not only the State government but the local governments as well. How any member of the Joint State Government Commission would vote for this bill is beynd me. What effect will this bill have if it is passed, and let us take it right into the city of Erie?

Mr. President, I received just one letter for this bill,—none other from any person, group or organization in the city of Erie—and that was the Chamber of Commerce. I do not have to tell you who the Chamber of Commerce represents. The membership of the Chamber of

Commerce is industry, and, naturally, industry would go to the Chamber of Commerce and say, "Write a letter and oppose this bill," and that is what they have to do and that is what they do.

Mr. President, let us take one of the other organizations which is State-wide and which depends on taxes for existence. Such an organization is the school directors, the school directors who are responsible for the education and welfare of the children of this Commnwealth, and what do they say? Do they say, "Pass this bill"? Of course, they do not, and I want to read, first, a letter from the School District of Erie. This is what it says, and I quote. It is dated July 2, and it is addressed to me. It says:

"Dear Sir:

"Subject: House Bills Nos. 573 and 574 introduced by Representative Waterhouse.

"The Board of School Directors of the City of Erie is seriously concerned with these bills since they will eliminate the assessment of machinery in the City of Erie, a source which provides the School District"—mind you, the school district which is responsible for the education of thousands of children—"with $270,000.00 per annum, this at a time when our district is hard pressed financially.

"At the regular meeting held on May 13, 1953, the Board went on record as opposing adoption of these bills since they are particularly injurious in our case.

"We, therefore, respectfully urge that you vote against passage of these bills when presented for your consideration.

"Very truly yours,

"/s/ A. P. Logan
"A. P. Logan
"Secretary and Business Manager."

Mr. President, that is what the educational force in the city of Erie thinks about this bill. Are we going to think about that group, or are we going to think about he group that Senators No. 51 and No. 52 represent, the special interests? If you do, I will tell you now that you are going to make a big mistake. I do not care what caucus action you took; you had better reconsider that caucus action, because these bills are adverse to the best interests of the people of this Commonwealth.

Mr. President, let me read another letter which I received from the Pennsylvania State School Directors Association. Let us see what they have to say about these bills. Let us see what effect these bills will have upon the financial aspects of these local districts. This letter is dated June 20, 1953. It is a communication to the Members of the Senate. It is from the Pennsylvania School Directors Association, P. O. Van Ness, Executive Secretary, and the subject is House Bills No. 573 and No. 574, machinery assessment bills. The letter reads and I quote:

"This is to advise you that the Pennsylvania State School Directors' Association and their Legislative Committee believe that House Bills No. 573 and No. 574, which would exclude machinery of mills and manufacturers from assessment, except in Allegheny County, would reduce the assessment valuation in school districts to the point that many of them would be unable to operate and would become distressed school districts. These bills are on Senate 1st reading calendar."

Today, they are on the Third Reading Calendar, Mr. President.

"Hundreds of school districts are now taxed to the limit. Many of them have obligations of new buildings to meet as well as mandated increases in teachers' salaries together with many other increased costs. Their budgets have been set up depending on a tax assessment which includes machinery as a part of real estate. We are advised in one industrial city that an assessment of ten million dollars is made on a plant, six million dollars of which is machinery. If these bills become law, this would reduce their assessment of this one plant alone sixty per cent.

"It should be noted that many school systems must employ more teachers, build more new buildings and carry a much larger budget because the companies who own machinery equipment have brought workers of child-bearing age into the community. It does not appear, then, quite fair, that this tax exemption should be permitted.

"The State School Directors' Association requests your protection of the School Districts of Pennsylvania from the staggering blow which they will receive if House Bills No. 573 and No. 574 should become law.

"Sincerely yours,
"/s/ P. O. Van Ness
"P. O. Van Ness
"Executive Secretary."

This letter, in itself Mr. President and Members of this Senate, should defeat this bill. However, there is one thing which I have noticed since these bills have been pending, and that is the lack of activity on the part of the Pennsylvania Education Association which has its offices here in the city of Harrisburg. There are numerous bills that affect the financial condition of school districts, and the educational system generally, which concern these genlemen who have approached me from time to time to support or to oppose the bills affecting the educatinal system of Pennsylvania, but not one has accosted me on these bills. Could it be that Senators No. 51 and No. 52 got to that group, too?

Mr. President, I am going to go back to Erie County County for just a little bit. This bill was debated in the House and I am going to read, as a part of my remarks, the remarks which were made by Assemblyman Polaski of, I believe the city of Erie. Anyway, he represents Erie County. I quote from the Legislative Journal, Volume 33, No. 39.

Mr. Polaski stated:

"Mr. Speaker, the net effect of House Bills 573 and 574 is to outlaw the machinery tax in Erie, although from a cursory examination of the two bills one would gather that they apparently deal with Erie County.

"Bills 573 and 574 will deprive the City of Erie of $105 thousand in taxes for the remainder of the year and the school district of the City of Erie of $135 thousand for the last six months of this year.

"In 1954 and every year thereafter, if these bills are enacted into law, the City of Erie will lose $210 thousand and the school district of the City of Erie will lose $270 thousand. The bills go into effect July 1st of this year and will force the city and school district to resort to bank loans.

"Since under Act 481 the wage tax in Erie is limited to one percent, the elimination of the machinery tax will be about a fifteen percent increase in the real estate tax for the city and the school district.

"This will work an undue hardship on the small home owner who has already received a higher city tax and a higher school tax bill for 1953 as a result of a new triennial assessment. The same small home owner has been paying the new quarterly sewer rental bill and of course as a wage earner he has been paying a one percent city wage tax since 1949.

"I would not be here opposing these bills were it not for the fact that the small home owner has been hit so hard this year. Even Republican Councilman Kenneth Momeyer has stated publicly that the effect of the new assessmenti fn Erie should not have been to place the greatest burden on the small taxpayer in Erie.

"Much has been said about how unfair the machinery tax is, yet each of us would have to admit privately that stationary machinery is the only conceivable part of a plant capable of producing a profit. The stone, the mortar, the brick merely provide shelter for the machinery. Were this not true, this old law would not be on the statutes for these many years.

"Even my colleague has admitted in the local press that in many communities in our country and in the state the assessment of machinery is not itemized separately but is included as a part of the assessment on the building.

"We in Erie prefer to itemize the machinery tax rather than to hide it like a federal processing tax. The machinery tax in Erie is assessed only on stationary machinery bolted to or cemented in the floor. Office equipment jitneys or portable equipment are not included in the assessment.

"It has been said that the machinery tax will drive industry out of Pennsylvania. If that be the case I am surprised that the sponsor has included an amendment in one of these two bills which exempts Allegheny County from the provisions of these bills. Does the machinery tax levied in Erie fall with any heavier impact on the industry in Erie than on the industry in Allegheny County?

"Incidentally the same assessing firm from Ohio, which assessed the Erie machinery has been continuously assessing the machinery for the Commisioners of Allegheny County for the past several years.

"Those who look upon Bills 573 and 574 as an Erie problem will shortly be confronted with a new set of bills taking away from Allegheny County the privilege of assessing machinery.

"This session is not over yet. There has been no deadline set for introduction of bills In the final outcome the elimination of the machinery tax either in Erie or elsewhere should not be construed by us as a 100 percent saving to the manufacturer.

"Let us take a hypothetical case. Suppose you pay a machinery tax of $1,000 to the City of Erie. This is included as a deduction on your income tax return. If you do not have to pay the machinery tax to Erie and your profits are under $25 thousand you pay about $300 of this $1,000 net profit as income tax.

"If your profit is over $25,000 you pay approximately 52 percent of this $1,000 that you did not have to pay as machinery tax in the city of Erie to the Federal government.

"To a certain degree, therefore, the question of paying or not paying the machinery tax in Erie is a choice between investing the tax money in your local community to help pay for local city services and to help support education locally or paying a smaller amount to the federal government in the form of income tax on net profit or tax on excess profits.

"Furthermore, Mr. Speaker, we have been here four and a half months and we have failed to solve our own state fiscal problems. If we cannot solve our own fiscal problems, why should we by our votes help to corrupt the financial problems of our political subdivisions back home?

"I now wish to read some communications from several organizations which are vitally interested in the provisions of these two bills.

"The Erie Central Labor Union urges you to vote against House Bills 573 and 574. Erie Central Labor Union—Alton Ross, Corresponding Secretary.

" 'The City of Erie Improvement League, representing some four thousand members, urges that you do not support House Bills 573 and 574. The United States Supreme Court has upheld the machinery tax and we feel it should be left that way.

" 'The State Federation of Labor is on record against these two bills and respectfully urges you to vote against House Bills 573 and 574. Positive action would shift tax burden to those least able to pay. Present method of taxation is based on actual property value and is only method on which taxes should be levied. Pennsylvania CIO Council—Harry Block, Secretary.

" 'Seven hundred teachers of Erie ask you to help defeat House Bills 573 and 574, which would cost Erie $270,000 in loss of revenue aid and the school districts slightly lower. Dr. R. Nelson Hale, President, Erie Branch PSEA, 27 W. 33rd, Erie, Pa.'

"Mr. Speaker, I believe that in view of the fact, that we are already placing in Erie an undue burden on the small home owner by the new triennial assessment, by the city wage tax and by the new sewer rental levy, I hope reason will prevail in this House and that our two valuable subdivisions back home will not be forced to go to the banks for loans."

Mr. President, that is a sound argument against these bills. There is considerable opposition to them, as was indicated by Mr. Polaski in his speech before the Members of the House.

Mr. President, I want to read another speech made by Mr. McCann on the same bills. Mr. McCann said, and I quote:

"Mr. Speaker, coming from a sixth class county, a rural county, that has installations of the large washer type pertaining to coal mines, in our county and in many of the other counties in this Commonwealth the assessed valuations of those installations on the tax books are partly based upon the equipment that is in that installation.

"As I see this bill—and I have read it very very carefully—I am very fearful that this is not the type of legislation that will do my county or any other county in this state any good in settling their very serious assessment problems.

"At the present time we are engaged in a contract with the same concern that assessed Allegheny County. We are spending $100,000 to assess these very installations. When I speak of installations. I talk of United States Steel, Jones and Laughlin, Bethlehem Steel, Republic

Steel Corporation, Hillman Coal and Coke, Youngstown Sheet and Coke—concerns of that type, large concerns."

Mr. President, may I deviate from the quote from Mr. McCann? Just reading that passage alone is. perhaps, ar indication why Senators No. 51 and No. 52 engineered the passage of this bill in the House after it was first defeated. Getting back to Mr. McCann's speech, he continues:

"We endeavor to increase the assessed valuation of those buildings, contending full well that the machinery is the main part of the building around which the building is designed and built. We have a part of that assessment. We contend we do not have the right amount of it.

"Coming from an area that is part rural and is developing into a field that will be some day a great industrial center of our state, I ask that those of you who come from areas such as I do stand up, regardless of the party or the side of the House that you are on, and stick to the fact that you must include in the assessed valuation of an installation that is wholly designed and built for a specific purpose, that you must assess a building that cost $100,000 and have therein $1 million worth of permanent machinery to operate it at a total cost of a million and one quarter dollars for installation and building.

"For that reason, Mr. Speaker I urge all of the Members of this House to go on record and oppose this bill for the sake of the future as well as the present on our justified taxation program that we must meet at home.

"This bill does not pertain to Erie, it pertains to every county in Pennsylvania except Allegheny. Therefore it covers all of us except Allegheny County.

"I think you should take time to read carefully and to think what can happen in your own community, in your own township, what can happen to your school program that has an assessed valuation basis, the money that you get there, as well as your county. Yes, you can go to court. You can go to court if you desire, but you and I agree—as we all must eventually agree—that the assessed valuations of those installations must be brought into consideration with the machinery as well as the building.

"I would like to state, Mr. Speaker, that I believe all the Members of this House should give full support to my stand and oppose the bill."

Those speeches rere made, Mr. President, by Mr. McCann and Mr. Polaski on May 13, the date the bill was first defeated. As I said before, after its defeat, Senators Nos 51 and 52 got on the job. They had the bill resurrected and finally put it across by two votes.

Then, Mr. President, another debate took place on these bills when they came up for final passage on June 10, 1953, when they passed the House by a vote of 107 to 91. I want to read the speech that was made by Mr. Polaski on that date. I quote from Volume 33, No. 49, of the Legislative Journal.

Mr. Polaski is speaking:

"Mr. Speaker, bills similar to House Bill 573 and House Bill 574 were recommitted in the session of 1951. The 1953 bills differ from the 1951 bills in that they now exempt Allegheny County. For some reason or other Allegheny County can do no wrong to Pennsylvania industry while Erie appears to be the only guilty culprit. The bills have the meek appearance of a lamb while they possess the potential treachery of a Rocky Mountain lion.

"House bills 573 and 574 are very broad and all-inclusive in their application. They affect fourth, fifth, sixth, seventh and eighth class counties as well as certain smaller political subdivisions in those counties.

"While at present these bills affect only the city of Erie and Allegheny County, all the counties and subdivisions mentioned in House Bill 574 would never be able to use this kind of levy if they should find themselves in a sudden financial predicament.

"Outlawing this kind of levy would be analogous to outlawing Bill 481 from now on for those political subdivisions who have up to the present moment refrained from invoking it.

"House Bill 573 is very inclusive as to the type of machinery which cannot be assessed. It says the following, beginning with line 7, page 3—and Mr. Speaker, I will read the section which includes the exceptions:

" 'Machinery, tools, appliances, and other equipment.'

"Mr. Speaker, the two words ,(other equipment) could rise to haunt many Members of this House if these bills should pass. As the Finance Director of the city of Erie for eight months in 1948, I have become rather well acquainted with the work of an assessor in a third class city. The work of an assessor in a third class city is not much different from that of a county assessor in the counties which are included in this bill. In other words, when we say in this bill that other equipment will be excluded from the possibility of assessment, we are prone to throw the assesment programs in all these counties into a bundle because no Member of this House can convince me that the county assessors in the counties af fected by this bill do not now at least include furnaces built into the walls of buildings or heavy equipment cemented into the floors as part of their building assessment.

"If these bills should be enacted into law, it will be possible for the county assessors in these counties to absolutely limit themselves only to the mortar and brick of the buildings. We know that is not fair because even today if you should have a mortgage on an industrial plant and the mortgage fails to make interest payments or periodic payments on his mortgage, you can foreclose on the plant, and any machinery which is attached to the floor can be foreclosed with the building.

"That is why I say these bills are so dangerous from that standpoint. On the surface they appear noly to affect Erie, but they could affect every one of he classes of counties which are mentioned in the bill.

"Economically speaking, there is nothing fundamentally wrong with taxing machinery in this state. This statute has been on the boks since 1833. In other words, our forefathers thought it was fair 120 years ago, long before machinery became a real factor in the development of giant nation-wide industries and tremendous concentration of wealth.

"It was suggested here that we could levy the same tax under Act 481. Our solicitor informs me that the series of decisions handed down by the State Supreme Court relative to the types of taxes which can be levied under Act 481 precludes the assessing of machinery under this (tax anything) law, and the net effect of the decisions has been, over the last few years since 1947, to gradually

narrow down the number of types of taxes which can be levied under this Act. In fact, our Council in Erie levied an excise tax on production under Act 481, which was declared unconstitutional almost immediately. A tax on machinery cannot possibly be justified under any category except as real estate.

"If these two bills pass, they will create financial chaos for the city of Erie and the school administration of the city of Erie.

"The effective date of these bills is July 1 of this year only two or three weeks from now. The two subdivisions will lose a quarter of a million dollars for the remainder of the year, and a half million dollars each year thereafter.

"We have no immediate solution to this problem of loss of revenue except to raise the real estate tax millage for the city taxpayer and the school taxpayer. This would work a hardship on the small home-owner who is already paying a higher city and school tax this year in addition to a new sewer rental bill and a city wage tax.

"I hope the effect of the vote today will not be to unload this burden on the small home owner.

"Mr. Speaker, when we discussed this bill several weeks ago, I read telegrams from various organizations throughout the State which are opposed to this bill. I will not again read these telegrams, but I would briefly like to mention the organizations which have rallied to oppose this Bill.

"They are the State CIO, local CIO, State Federation of Labor, local Federation of Labor, the East Erie Improvement League, and the Local Division of the PSEA which numbers something like 700 teachers. Since then one or two other organizations have decided to oppose these bills, and now for the first time I would like to read the telegram to you which I received last week.

" 'Dear Mr. Polaski:

" 'The Pennsylvania School Directors Association at their meeting held in Harrisburg, Saturday, May 9, went on record as opposed to House Bills 573 and 574, and having to do with the exclusion of machinery, tools, appliances and other equipment contained in any mill or manufactory from assessment and taxation.

" 'P. O. VAN NESS
" 'Executive Secretary,
" 'Pennsylvania School Directors Association."

"I also have a letter from the Erie City Council, a letter from the School District of the city of Erie, and I would also like to have permission to read an editorial from one of Pittsburgh's most prominent dailies.

"This is the editorial:

" 'KILL THIS TAX PROPOSAL. A House Bill to exempt industrial machinery from assessment for taxes reflects the local fight in Erie County and is not deserving of serious consideration by the General Assembly. If it should become law, it would play havoc with the financial and political subdivisions throughout Pennsylvania.

" 'Allegheny County officials, for instance, estimate such a law would necessitate the increase of a mill and a half in the county tax rate. The load would be shifted from industry onto the backs of already heavily burdened home owners.

" 'This legislation has won the endorsement of the Civic Club of Allegheny County which, in its current bulletin, advances this specious argument:

" 'To include machinery and equipment as part of the value of real estate is not just and this practice discourages industry from locating in Allegheny County.'

" 'Now this will be news to a lot of people in this district, and particularly to the Chamber of Commerce, which likes to cite the gratifying industrial growth in recent years. The Statute under which real estate includes machinery in the computation of assessed valuation has been operating in Pennsylvania for well over a century. It would not appear to have hampered its development as one of the greatest industrial states in the nation.

" 'The present law does not put this state at a competitive disadvantage in attracting new industry. In practically all industrial states, machinery is taxed in one way or another.

" 'If, however machinery were exempted, the financial structures of many Pennsylvania communities would be completely demoralized.' "

Mr. President, that is the end of the quote from Mr. Polaski's speech.

Mr. President, since arguments have been advanced that this machinery could be taxed as personal property, I want to read again from Volume 33, No. 49, of the Legislative Journal, a talk made by Representative Seyler. He apparently did considerable research on the law affecting machinery and of its being a part of real estate. I will read his entire remarks, because I think they are important. I want to include them in this summary of the debate on this bill, because I am assuming that those who get a copy of the Legislative Journal from time to time can, if for no other reason, acquaint themselves with the arguments presented by Members of the General Assembly on vital issues before it.

I am quoting from Representative Seyler:

"Mr. Speaker, this bill has all the earmarks of being the outcome of an argument between the city of Erie and certain other portions of the County of Erie. I would not presume to get into such an argument were it not for the fact that I have a conviction that this bill is far more extensive in its effects than that. It may have been intended merely to effect the city and county of Erie. But as a matter of fact I believe it has a very far reaching effect. I believe that its effects upon the school districts, the local communities of this Commonwealtr are such that many of you, who may otherwise be inclined to support the position of the gentleman from Erie, who sponsored this bill, it might be well to think about carefully before you vote for it.

"I believe furthermore that this is a basic change in the tax structure of the Commonwealth of Pennsylvania. and as such is just as important a question as we are likely to consider in this session of the Legislature.

"Now after the debate on this question in the first instance, I had the opportunity to talk with a number of gentlemen on both sides of the House whose attention was aroused by some of the things I said and debated on that previous occasion.

"I found that there were four questions raised. I would like to answer those four questions at this time.

"The first question that was raised was this, is machinery used in a manufacturing plant real property or personal property? Then a corollary question to that, does it have to be fastened down to constitute real property or not?

"I want to answer you this question because a lot of

people honestly had doubt in this House at the last session whether it was proper to call machinery, particularly machinery that was not fastened down, real property.

"I would like to say that this doctrine that it is real property is a very old one in Pennsylvania and is a fundamental part of our real estate tax system. The original decision goes back to 1841, when the Supreme Court considered the case of Voorhees vs. Freeman. The court at that time said this, and I wish you would listen because I think this clears up this question pretty well.

" 'Whether fast or loose therefore, all machinery of a manufactory which is necessary to constitute it, and without which it would not be a manufactory at all, must pass for a part of the freehold.'

"That is the baric decision. The law that my friend from Erie referred to earlier, of 1833, was the original enactment on which this was based.

"In 1844 it was amended and the thirty-second section of the Act of 1844 provides, and if you will follow this in your book you will notice that the language has not been changed much since 1844.

" 'All real estate, to wit, houses, lots of ground, ground rent, mills and manufacturers of all kinds, furnaces, forges, bloomeries, distilleries, sugar-houses, malt-houses, breweries, vineyards, fisheries, ferries, wharves, and all other real estate not exempt by law from taxation rhall be valued and assessed for all state and county purposes.' "

"Now it is on that added part in the law of 1844 that the decisions of the court are based which make machinery taxable as real estate.

"In the case of Patterron vs. Delaware County in 1872, which is only eighty-one years ago, the court held that under the act of 1844 machinery was properly taxed as real estate.

"In that same decision Justice Butler, who wrote the decision, had this comment and this I think is a sweeping one. 'The machinery in a mill', he said, 'is as much a part of it as are the walls.'

"In Titus vs. Poland Coal Company the question was settled whether the machinery has to be fastened down. Just listen to this quotation from the decision, of the Supreme Court:

" 'The Pennsylvania rule is that a chattel placed in an industrial establishment for permanent use and necessary for the operation of the plant becomes a fixture and as such a part of the real estate, although not physically attached thereto.'

"In other words, if the article, whether fastened or loose, is indispensable in carrying on the specific business, it becomes a part of the realty.

"Now, there are many later cases which could be cited, and I have them here and I am not going to bother you with them, but they are right here on my desk if anyone doubts the continuity of the court's decision that machinery fast or loose, that is part of a manufacturing plant, is properly assessable as real estate.

"Now the second question is, is machinery taxed or taxable as real estate in Allegheny and Erie only, or in the other counties of the Commonwealth. If you will examine the Act which this bill amends. you will find that it applies to all counties, cities, boroughs, towns townships and school districts. In doing a little research on the cases involved here that the court has settled, I found that it has settled cases saying that machinery is real estate in the following counties, Delaware County, Beaver County, Northumberland County, Luzerne County, Dauphin County, in addition to Allegheny and Erie. I did not read all of the speeches.

"In other words this question has been raised and decided by the courts for many of the counties of Pennsylvania, and not only the counties of Erie and Allegheny."

Mr. President, there is no question in my mind that the special interests are looking for another concession. I want to state for the record that I am not opposed to the railroads; I am not opposed to industry; I am not opposed to manufacturing plants. Without them, Pennsylvania would not be the great State that it is. However, I also believe, Mr. President, that industry, railroads and manufacturing plants ought to pay their fair share of local and State taxation.

Mr. President, as I said before, Pennsylvania industry, the railroads and manufacturers are not overtaxed in this State, as was indicated in the speech made by Governor Fine, who outlined the great progress industry has made in this State and the prosperity it has enjoyed and the profits which it has made. Industry, the railroads and manufacturing plants, frankly, ought to be ashamed to be seeking this new concession, this new advantage.

Mr. President, I call your attention to the fact that when Act No. 481, the so-called "tax anytihng act," was passed by this Legislature, the special interests had themselves exempted frfom that tax. Who are the taxes, under that act, levied upon? Not upon industry, not upon the railroads, not upon the manufacturer, but upon the rank and file of the people of this great State. Frankly, the men and women who earn their bread and butter by the sweat of their brow have just about reached the peak of what they can stand in taxation.

Mr. President, from the speeches that I have read, which were made in the House, and from the speeches which were made here on the floor of this Senate, I am convinced that anyone here who is not convinced that to pass these bills will work a financial hardship on local municipalities, just is not sincere in his job. He just is not sincere in the welfare of the local school districts and local municipalities.

Mr. President, I just want to read from this Act No. 481, the various types of taxes that are now assessed against the rank and file of the people of this Commonwealth, against those who earn their bread and butter by the sweat of their brow. I say to you, Mr. President, they just cannot stand any more. If we exempt machinery and the special interests from this tax, it will deprive those local municipalities and school districts that are hard up against it from a source of taxation.

Mr. President, I am looking at a report that is prepared by the Department of Internal Affairs and it indicates taxes levied under Act No. 481. This report is as of April 1, 1953, supplement 2 to the publication of April 1, 1952. The taxes that are now levied under Act No. 481 total—and I just want to show how they have been rising according to this compilation. In 1948, the first year for which there was a report, Act No. 481 revenues totaled $14,935,115. In 1949, the total had increased to

$23,603,576. In 1950, it increased to $27,919,206. In 1951, it increased to $33,631,493. Since we do not have the statistics for 1952 and 1953, I am assuming that the taxes under Act No. 481, the "tax anything act," are increasing in proportion in accordance with the change in the economic situation of our Country.

Therefore, I say, Mr. President, that the rank and file of the people just cannot stand any more of the taxation which they will be burdened with in the event this bill is passed by this Senate.

Mr. President, here are some of the taxes that are now imposed under Act No. 481. I am sure that as I go along here, none of these taxes will have affected industry, the railroads or manufacturers. There is a deed transfer tax, a mercantile tax, an amusement tax, a scrap metal tax, a per capita tax, a mechanical device tax, a trailer tax, an income tax, a used car dealer tax, a tax on gasoline, kerosene and oil lamps, stone quarries and sales personal tax.

I could go on here and take another hour, Mr. President, to indicate the amount of money that is collected in each political subdivision from the "tax anything act" from which the railroads, the special interests, have exempted themselves. Now they come before us and ask for exemption from this tax.

Mr. President, I, frankly, cannot see how any Member of this Senate from Allegheny County can vote for this bill and take the position that, "We in Allegheny County will continue to levy this tax, but those of you in the rest of the State just cannot do it. We want it as a source of revenue, but you cannot have it." In my opinion, that is an erroneous philosphy to assume. In my opinion, it is a selfish attitude to assume. How anybody in this Senate, as I said before, who serves on the Local Government Committee, who is acquainted with the problems of local government, can vote for this bill, is beyond me. How anybody who is a member of the Joint State Government Commission can vote for this bill, for the same reasons, is indeed a mystery to me.

Mr. President, today, Senator Wade made a speech and in his speech he talked about the tax dilemma here in the Commonwealth. Senator Mahany added to his remarks, and pointed out how State funds are allocated for various purposes. He pointed out specifically the amount of tax funds which are allocated for public education. Of course, he did not touch on the amount of money that is raised locally for this same purpose because, under the system under which we operate, both the State and the local school districts finance the obligations of school districts. That being true, the local school districts should not be deprived of a source of taxation which is a very, very important source.

Mr. President, I, therefore, call upon the Members of this Senate who are—and I am sure all of you are—interested in the financial problems of local school districts and local communities, to oppose these bills.

Mr. President, in my opinion, this matter ought to be referred to either the Joint State Government Commission or the Local Government Commission for study, so that during the course of the recess between this Session of the Legislature and the next Session, those who are opposed to this tax can come in and be heard and those who are for it would be accorded the same privilege.

Mr. President and Members of the Senate, I call your attention to the fact that taxation is becoming an acute problem not only in Pennsylvania, but over the Nation as well. The United States Congress has recognized this fact. Just recently, I secured a copy of a bill that was introduced in the United States Senate by Senator Taft, calling for a sweeping study of intergovernmental problems, which includes taxation, and would cover the Federal, the State and the local governments. That is a sensible way to go at this problem.

Therefore, Mr. President, in my opinion, at least, I think this Legislature should tackle this problem, as well as the general taxation problem all over the State, as it affects the Commonwealth, the school districts and the local subdivisions, and then come up with recommendations and not just hastily, because someone is looking for a special concession, pass a vicious bill of this type and place in jeopardy every school district in this State that is responsible for the education of the millions of children in the great Commonwealth of Pennsylvania.

The PRESIDING OFFICER (John M. Walker) in the Chair.

And the question recurring,

Shall the bill pass finally?

Mr. FREED. Mr. President, since Northampton County is my neighboring county, Senator Yosko and I cross each other. Since he is definitely against this bill and I am for this bill, I feel I have to make a statement why I am for the bill.

In the first place, Mr. President, he said that those who are for the bill are controlled by Senators No. 51 and No. 52. Secondly, I believe he said that if you are sincere you must vote against this bill.

Mr. President, coming from a school of appraisers, I believe that assessments should be made in relationship to appraisals. There should be a fair value, or market value, and then a certain percentage of that particular value taken for said appraisal.

Mr. President, in our town and county, I am glad for one thing. We have in our city government, which controls our city and school taxes, a Democrat in that particular department who is a broker; one who has been schooled along the line of appraisals. In the county we have another broker who has been schooled along the line of appraisals. For that reason, I do not believe, in Lehigh County, that we have anybody in there who has taken advantage of any kind of equipment of a said building. They would know that as far as the construction of fa building is concerned, the making of it, the improvements thereon and the area, whether it is occupied or not, determine the valuation of that said property.

In this particular case, Mr. President, let me assure my neighboring Senator that Senators No. 51 and 52 definitely have not and do not control Senator No. 16. For that particular reason, I will also say that I will go back in my county and certainly go back in there and explain to them why I am voting for this particular bill. If this bill can be taken over in Erie County, Mr. President, it can be taken over in every other county except that one mentioned in the particular bill that cannot be taken over. For that reason, I do not want it to encroach into Lehigh County.

Mr. YOSKO. Mr. President, I do not believe that at any time in my remarks did I say that Senators Nos. 51 and 52 controlled any Member of this Senate. I did say that Senators Nos. 51 and 52 got busy when this bill was defeated in the first instance in the House, and were successful in garnering a sufficient number of votes to pass it after it was defeated, which brought it here to the Senate.

Mr. President, there is no question in my mind, and I do not believe there is any question in the mind of any Member of this Senate, that the gentlemen to whom I referred are very much interested in these bills. Even though the bills might pass, I am not saying that the gentlemen controlled my distinguished colleague from Lehigh County, my neighboring county, or any other Member of this Senate. However, I do say that they are exercising some control relative to these particular bills.

Mr. MILLER. Mr. President, I have a few remarks I would like to make pertaining to this bill.

Mr. President, not long ago, some reference was made as to the voting of the Republican Members. I cannot account for the voting of the Republican Members outside of myself. However, I think that when the final vote is taken, there will be a split vote and it will not be on party lines.

Mr. President, I have had an opportunity the last hour or two to listen to the debate, pro and con, listen to the merits and demerits of this bill, which I have enjoyed because of the many pertinent facts which have been brought out. While I was sitting here listening to the various remarks, I could not help remembering about two years ago, in the House, two bills similar to this were presented and, as I recall, they were Nos. 774 and 775. If I recall correctly, they passed first and second reading and on third reading they could not muster enough support and the bills were recommitted. Allegheny County, at that time, was not exempt in that particular bill.

Mr. President, in the last couple of weeks I have realized that this would be discussed at length; there are many things to be thought here. So, what I did during the last couple of weeks was talk to the people at home who should know a little bit about tax problems and the effect on our county and local political subdivisions. It so happens that I represent a fourth and a fifth class county.

Mr. President, of all the people with whom I spoke, and there were many of prominent personality—I do not care to mention any names for fear of embrrassing them. Perhaps I would not, I do not know, but I do not care to mention any of their names. However, these individuals spoke about these bills and did not speak favorably. They spoke about the effect these bills would have in the tax structure of the counties and the local subdivisions. I spoke with perhaps two dozen or so prominent people, who should know something about taxation, and not one person told me to vote for these bills. On the other hand, I received one letter in favor of the bill. It happens to come from a certain Chamber of Commerce.

Mr. President, also, sitting here this evening, I could not help but think that some young fellow, who possibly served in World War II, or some young person who maybe in the last year or two was discharged from the Service, after serving in Korea, might have a little investment in property. It might be a young person who, with his family, is trying to start out in life, who owns a little property, or, perhaps on the other hand, people who are in their sixties and seventies, who might have worked hard to have a little home, or a little farm or a little something. I can think offhand of some cases at home, and I know every Member here can think along the same lines. I cannot help but think how this bill and the following bill would affect these young people, just getting started, who are trying to acquire or have just acquired a little piece of property, or some of the older folks, who have ten, fiteen or twenty years remaining and who hope to enjoy some of the pleasures in life. I cannot help but think how these bills will have an effect on them.

Mr. President, why these bills were presented and pushed as far as they have been, I do not know. However, I cannot see any merit to them. I think these bills are bad, I think these bills are unjust and I certainly hope they are defeated.

Mr. LEADER. Mr. President, going a long way back, I recall very vividly that the distinguished Majority Leader said that this legislation would simply require a few mills more of taxation on the home owners. I think he might very well have added "on the farmers of Pennsylvania."

Mr. President, down in my county, where we have had a tremendous influx of new industry and where our old industries are tending to expand outside of the city limits, we have had a tremendous build up in the second class townships surrounding the city, a third class city, the city of York. This means, of course, that homes will be built in the locations of these new industries and it means new streets and new highways. It means that our township supervisors will be required to build some new roads. I think we recognize that there is a nine mill limit that the supervisors may levy to build new roads. It means new schools. While we have to increase taxes for schools, I think all of us recognize that we have a thirty-five mill levy on school taxes. So, this increased taxation has a limit.

Mr. President, beyond that, I believe that we have the basic conflict between the two major political parties of this Country here in Pennsylvania. The one conflict is that the Members of the Majority Party here tend to believe that all of the emphasis should be placed on production, production, production and more production. They seem to have forgotten the economic history of this Country in the thirties, when the farms and the factories of America were producing, at their peaks of capacity, but the people did not have the purchasing power to buy their products. There was a lot of sentiment wasted over little pigs which were killed, I remember very well, back in the twenties. There was not much sentiment, however, from the viewpoint of the people on the farms who lost less money by destroying them than they would have by growing them out.

Mr. President, I think it has been the viewpoint of the Democratic Party, and certainly it has been my viewpoint, that it is high time we think about the purchasing power of the people; not only those of us down on the farm who prefer to buy and sell the corn and buy coal to burn in our stoves, but also you folks in the heavy in-

dustries who are supplying the steel for the automobile industry, which is going to have six million cars in America to sell this year against four and one-half million last year. It is high time some thought is given to purchasing power. When we take the taxes off the forces of production and put it on the shoulders of the consumers and the farmers of this Country, we are certainly endangering the purchasing power.

Mr. President, we have been encouraging now, for a good many years, expansion of our school facilities. My county, along with many others, has built tremendous new school buildings. Obviously, as I mentioned before, this is a necessity because of the fact that we are getting new industry, new residential areas, greater school population and new schools are required.

Mr. President, I read in the press a little while back that certain Members of the Senate, of the Majority Party, along with certain House Members, had met to devise ways and means of reducing the amount of moneys that the State would appropriate to the school districts and depend, to a larger degree, on local effort. Here, instead of increasing the opportunity for taxation for that very local effort that some of you folks over there wanted them to rely on, we are taking a part of it away from them.

Mr. President, some folks have said that if we take away this machinery tax they can invoke Act No. 481 and tax machinery under it. However, I am told that there is a one percent limitation on that machinery tax under Act No. 481, plus the fact that neither these second class townships that I have been telling you about, which would have to build some of the roads in these communities, nor your counties would be permitted to act under Act No. 481, because they are not included under it.

You know, Mr. President, I cannot help concluding that this legislation here in 1953, which would doubtlessly mean tremendous savings to the manufacturers of Pennsylvania, is somewhat comparable to the legislation I believe referred to as the Merit Rating Bill that was rushed through the General Assembly. I believe, late in the Session of 1949.

Mr. President, I hope that it is not the attitude of the Majority Party that here is a bill at the expense of the people of Pennsylvania, the rank and file, which will be capable of filling the Republican campaign coffers of 1954. I do not believe the people of Pennsylvania can be buffaloed by high-pressured salesmanship and advertising and throwing money away in this Commonwealth, if this is the best type of legislation we are capable of enacting up here.

Mr. WEINER. Mr. President and Members of the Senate, I am just going to take a few minutes of your time, so if you will just listen carefully I would like to get a few of these points across to you. I do not want to change many votes, just a few.

Mr. President, the problem that I heard discussed earlier here by one of the proponents of the bill was that we were driving industry out of the State. I think that we can accomplish that problem a lot easier by a bill of this type. I feel that the problem could be solved by introducing a set of bills which would reduce the C.N.I. and the C.S.F. taxes in Pennsylvania and in that way we will take care of everybody in the State, not just one of the problems localized in Erie. What is being proposed for Erie should be proposed for the entire State.

What actually is happening here, Mr. President, I feel, is a basic change in our tax structure. The money that we are going to take away from Erie or other school districts will have to come from somewhere else. That somewhere else is the State. At the moment, we seem to be in a little bit of a problem in trying to raise money which the Governor told us he needs so badly. After that, the problem of providing for the separate school districts which are going to lose revenue as a result of this measure arises, and where does that put us? It puts us in a deeper hole than we are now in.

Mr. President, I feel that one of the questions that everybody who is going to vote on this bill, or for this bill, should ask themselves is, what are they going to use in place of this tax or this fund raising measure once they remove this basic tax problem which they have up there, which they seem to have solved for a good number of years?

Mr. President, I do not wish to inject politics into this problem, but does it not seem that this tax has been on for a good number of years and just at the time when Erie seems to have had a change in administration, or, shall we say, the atmosphere is a little bit different than it has been in the past few years, we are trying to remove from them a certain means of obtaining a certain amount of revenue which they very badly need?

Mr. BARR. Mr. President, I assume all the debate now is on House Bill No. 573. I do not know how the Members of the Senate are going to vote, but from my wandering around the Senate Chamber tonight I think I have a rather good idea.

Mr. President, I am just wandering how my Republican colleagues from Allegheny County in the Senate are going to vote on this bill; if they are going to vote in good faith; if this bill included second class counties how they would vote; and if they are being fair to our colleagues, like Senator Dent, from the third class counties. I cannot name all of the members from third class counties on this side, but I presume that if this bill did not exclude second class counties they would be against it. If this bill is good for fourth, fifth, sixth, seventh and eighth class counties, if it is going to affect the home owner there, then it should be good for people of second class counties, who are not in the bill, and for third class counties who are in the bill. I just monder how they would vote.

Mr. President, I wonder also why or how we got out of this bill over in the House. I am going to confess to the Members of the Senate that I know how we got out of this bill. There are eight Republican Members in the House from Alegheny County, and this bill would never have reached the Senate if second class counties were included in it. It say that I am going to watch, and watch two years from now, but I do not think that I need to watch two years from now, because I think that when you pass this bill it will be just one more nail put in the coffin of the Republican Party and we will be in command, and we will not need to think about what happened by excluding second class counties at the next Regular Session of this General Assembly.

Mr. President, I think that this bill is here in poor faith, poor judgment and is an assessment for the small home

owner in every other county in the State, other than second class counties. I only wish that I was a lawyer. If I were, I would take this bill to the highest court of the land. I think that Senator Dent, in his speech tonight, set up for the law brothers of the State a great case, when they take their cases to court.

Now, you other gentlemen, when House Bill No. 574 comes up, I think you will see a series of bills probably in the next Session of the General Assembly creating more judgships in all of these counties, because I know that if I owned any type of a plant in a third, fourth, fifth, sixth, seventh or eighth class county, I would appeal my assessment and the only place you can appeal your assessment is to the court in this State. God save us if you pass these bills, because the courts of these counties will be overladen with tax appeals.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Hare,	Mahany,	Stevenson,
Blass,	Harney,	Mallery,	Taylor,
Chapman,	Kephart,	McCusker,	Wade,
Crowe,	Kessler,	McPherson, Jr.	Watkins,
Diehm,	Kopriver, Jr.	Peelor,	Watson,
Fleming,	Letzler,	Propert,	Wood,
Freed,	Madigan,	Snowden,	Walker, Presiding Officer

NAYS—19

Bane,	Lane,	Pechan,	Wagner,
Barr,	Leader,	Ruth,	Weiner,
Camiel,	McGinnis,	Silvert,	Wolfe,
Dent,	McMenamin,	Stiefel,	Yosko,
Holland,	Miller,	Toole,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 574 CALLED UP

Mr. MAHANY. Mr. President, I wish to call up from page 5 of today's Third Reading Calendar, House Bill No. 574, Printer's No. 221, which went over in its order. temporarily.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 574, as follows:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assesors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assesors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" is hereby amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county borough town township school (except in cities) poor and county institution district purposes at the annual rate

(a) All real estate to wit Houses buildings lots of ground and ground rents mills and manufactories of all kinds and all other real estate not exempt by law from taxation Machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not be considered or included as a part of the real estate in determining the value of such mill mine manufactory or industrial establishment

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations and all persons over the age of twenty-one years who do not follow any occupation or calling as well as unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as citizens of this Commonwealth

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes Section 2 The provisions of this act shall become effective the thirtieth day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 574

Mr. BARR. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BARR. Mr. President, I voted with the majority.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of title, by inserting after "taxation": "in certain counties"; Amend Sec. 1, (Sec. 201), page 4, line 3, by striking out "Machinery" and inserting in lieu thereof: "In counties of the fifth, sixth, seventh and eighth classes machinery."

On the question,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. LANE. Mr. President, I move that the amendments to House Bill No. 574 be adopted.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr MAHANY. Mr. President, I oppose the amendments and ask my colleagues to vote "no."

Mr. LANE. Mr. President, these amendments will eliminate fourth class counties from the provisions of this act. It seems to me that if second class counties can be excluded, why can my county of Washington and all other fourth class counties in Pennsylvania not be excluded?

Mr. President, I say to you that if this bill is passed in its present form, it is going to cost our county a percentage of about twenty to twenty-two per cent on our assessed valuation. I cannot give you the figures on the political subdivisions, but I do say that in the industrial towns of Donora, Charleroi and Monongahela, it is going to be terrific. It is going to hurt our school districts and, of course, or our local municipalities.

Therefore, Mr. President, I ask everyone to vote in support of these amendments.

An the question recurring,

Will the Senate agree to the motion?

Mr. HOLLAND. I ask for a roll call, Mr. President.

Mr. BARR. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. HOLLANND and Mr. BARR, and were as follows, viz:

YEAS—15

Bane,	Holland,	McMenamin,	Wagner,
Barr,	Lane,	Ruth,	Weiner,
Camiel,	Leader,	Silvert,	Yosko,
Dent,	McGinnis,	Stiefel,	

NAYS—29

Berger,	Harney,	Mallery,	Taylor,
Blass,	Kephart,	McCusker,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Snowden,	Wood,
Freed,	Mahany,	Stevenson,	Walker,
Hare,			Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President and Members of the Senate, by way of explanation I would like to say this. There is a feeling among some of the Members here that we are employing delaying tactics with some ulterior motive in mind. I want to clear that up. What we are doing, Mr. President, is preparing the record in order that interested parties who have notified us that they are very much interested, and who will take this matter to court, will have on the record the arguments which we are placing there in the hope that it will help in their fight to have these particular bills declared unconstitutional.

Mr. President, Mr. Lane has gone to a great deal of trouble and has studied at length the various legal aspects of it. Therefore, it may appear to be a roadblock and delaying tactics to some of you, but I want you to know that we are not trying to inflict any hardship upon the Members of the Senate. We all realize that the hour is late and most of us get up early. We would have appreciated the opportunity to have presented this matter tomorrow. However, it seems to be the judgment of the other side that they ought to be finished now that they are before us.

Mr. President, I will say that I will not at any time question the validity of the vote of any of the Members on the other side who feel that because of their physical condition they would like to leave and go down and sleep or rest at the hotel. We can have a consent roll call, if necessary, to relieve any of the Members from any undue strain. However, we do intend to make the record.

Mr. LANE. Mr. President, I am not politically naive enough to think that anything which we have said here tonight is going to influence any votes and, from all appearances, my thoughts are correct. Anything further that we say is not going to influence any votes, because it seems that you gentlemen on the other side have your minds made up.

Mr. President, I do, however, want to say this. I think the Majority Leader mentioned that the Pittsburgh Press had an editorial in which they supported these two pieces of legislation. I believe that is correct. However, I want to call the attention of the Majority Leader to the fact that in the same edition, the Pittsburgh Sun-Telegraph upheld our position on this legislation, and they also stated that it would just be a matter of time until legislation would be passed which would affect Allegheny County, and that will be a major catastrophe.

Now we, of the smaller counties, Mr. President, realize that there is only one recourse, and that is to the courts. For that reason, I have had the assistance of our law department back home and they, in turn, have advised me as to the proper procedure to take.

Gentlemen, while I am on the floor, I want to tell you a few things. I have been in public life for a long, long time. I was first elected to office when I was twenty years of age. I am now hitting close to forty nine. I have served in every local office except tax collector and assessor. I believe that my background is such that I know what I am talking about when it comes to legislation of this type. I am convinced that I am right, regardless of the arguments to the contrary. I am not speaking from a political point of view; I am speaking of the problems of the local districts in my county and in the county of Greene, because I know they are going to be hit hard. Therefore, I want to set forth here in a written state-

ment what our department feels is wrong with this bill and our basis for a fight in the courts.

Mr. President, my interrogations of the Majority Leader and other Members of the Senate on June 24, covering the subject matter which is contained in House Bills Nos. 573 and 574 has brought no clear explanation as to just what is actually meant by the term "other equipment" which is a part of the amendments to the General County Assessment Law in this Act.

I believe that my interrogations have brought out the fact that this legislation is loosely written and if passed, Mr. President, will be the subject of numerous litigations and there is no doubt in my mind that this legislation should not be passed by this Senate as the subject matter contained herein violates the provisions of Article III, Section 7, of the Constitution of this Commonwealth, as this section specifically sets forth that the General Assembly does not have the power to pass legislation exempting property from taxation, except that which is enumerated in that particular section.

Mr. President, it was argued by the proponents of this legislation that its passage would be beneficial to the industries located in the city of Erie. If that be the legislative intent of this legislation, it is undoubtedly local or special legislation and Section 8 of Article III specifically sets forth that "no local or special bill shall be passed by the Legislature, unless notice of the intention to apply therefor shall be published in the locality where the matter or the thing to be effected may be situated which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill and in the manner to be provided by law; the evidence of such notice having been published, shall be exhibited in the General Assembly before this act is passed."

Now, Mr. President, all of us are aware of the fact that these House Bills Nos. 573 and 574 are not local or special legislation, and I feel that all of us are cognizant of the fact that the enactment into law of these two bills will have a far reaching effect upon the fiscal affairs of almost every political subdivision of Pennsylvania. None of us can predict the extent of a disaster which will result in the passage of these bills; however, it seems to me that the Constitution of Pennsylvania specifically spells out and directs us in our legislative program and procedure.

Mr. President, I also wish to call to your attention Article IX, Section 1, which sets forth that "all taxes shall be uniform, upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity and real and personal property owned, occupied and used by any branch, post or camp of honorably discharged soldiers, sailors and marines." Section 2 of Article IX states that "all laws exempting property from taxation, other than the property above enumerated, shall be void."

I, for one, Mr. President, believe that the Constitution of the Commonwealth of Pennsylvania and the laws of our Commonwealth mean exactly what they say—no more or no less—and I hope that our government functions in compliance with our laws and does not function for the interest and benefit of a few selfish individuals that demand special privileges for the vested interests.

Mr. President, I want this a part of the record because I feel that this is going to help us as we are going into court, and I know that.

Mr. President, while I am on the subject, one of the previous speakers made a statement that he was interested in labor and in the welfare of the working man, and I have before me just a few telegrams out of a great number that I have received, and most of them are from Erie and Erie County. Here is one from Mr. John Williamson, President, Local Union No. 1573, 331 West 21st Street, Erie, Pennsylvania, and it says:

"We appreciate everything you are doing to defeat the machinery tax bills and urge that you continue" in your efforts.

I have another telegram here signed by Mr. John Kaiser, President, Local Union No. 1680, 515½ French Street, Erie, Pennsylvania, who says:

"The machinery tax bills now before you will throw our city in the financial disaster if passed. Our school system will lose some $35,000.00 and the city will lose $105,000.00 for this year. These losses in taxes will then be placed on the small property owner who is least able to pay. Please do everything possible to defeat these bills."

Mr. President, I have another one here signed by Mr. Howard Morgan, President, Local Union No. 1794, 407 Marshall Drive, Erie, Pennsylvania, who says:

"We appreciate your efforts in the fight against the machinery tax bill. The working people and the small property owners of Erie will have to make up the difference" of taxes.

Another one, Mr. President, is signed by Mr. John Fitzgerald, President, Local Union No. 3186, 908 Cherry Street, Erie, Pennsylvania, who says:

"The membership of my local union certainly appreciate your stand on the machinery tax bills and urge that you continue to fight to defeat these bad bills under the new 1953 assessment program here in Erie. The small property owners have had his assessment increased on an average of 230% as against 180% which gave industry a substantial reduction in taxes for the year 1953. These bills would give industry a further reduction which they are not entitled to and in turn it would create an additional tax burden on the small home owner of this community."

I have another one, Mr. President, from Mr. Kenneth Sawdey, President, Local Union No. 1476, 434 Stafford Avenue, Erie, Pennsylvania, who says:

"Urge that you keep up your valiant fight to defeat the machinery tax bills 573 and 574. If these bills are passed it will place an additional tax burden on the people least able to pay and it will throw our city into economic disaster."

I have another one, Mr. President, signed by Mr. Andrew Pawlak, President, Local Union No. 4743, 530 East 12th Street, Erie, Pennsylvania, who says:

"We of Local Union 4743 urge you to keep up the fight against the unfair bills, Nos. 573 and 574. They would be very detrimental to the average working man and small property owner."

I have another one here from Mr. Henry Pigeon, President, Local Union No. 3084, 925 Liberty Street, Erie, Pennsylvania, Mr. President, who says:

"The people of Erie are very much concerned about the machinery tax bills now before the Senate. The cry has been that this tax is chasing industry out of Pennsylvania which is not true. The record of the mammoth expansion programs that industry is engaged in at present in the county of Allegheny proves that industry is not being forced out of Pennsylvania and this type of tax has been in effect in Allegheny County for years. Do everything you can to defeat this legislation."

Mr. President, I have another one here from Mr. Thaddeus Laniewicz, President, Local Union No. 1197, 3004 Pine Avenue, Erie, Pennsylvania, who says:

"Urge you to do all you can to defeat Bills 573 and 574. These are very unfair and would throw an extra burden on the average working man and small property owner."

I have quite a number more, Mr. President, but I will just be brief and go over just a couple of them here. Here is one from Mr. John J. Evans, President, Local Union No. 1383, 2678 Hazel Street, Erie, Pennsylvania, who says:

"Members of our local union urge you do everything in your power to defeat Bills No. 573 and 574."

Mr. President, these telegrams go on and on and on. It seems to me that that should be due proof to the Membership here in the Senate.

I want to also add, Mr. President, that I have had the privilege of working with some very able men on the other side on our Local Government Commission. I would say that they are great authorities on local government and I have noticed how they have voted down the line. They voted down the line here against their very convictions.

If that is going to be the case, Mr. President, as far as the Local Government Commission is concerned, I want to say here and now that I do not believe, if that is going to be the attitude, that my further service on this commission can serve any useful purpose.

I have been proud to work there, Mr. President. We have tried to work the local government problems out on a nonpolitical basis, and we have done a pretty good job. I think the membership of that commission knows very well that this is bad legislation. If it is going to go along partisan lines, I want you to know that, with extreme regret, I feel my further service there can serve no useful purpose and I wish to tender my resignation as a member to the Local Government Commission to either the Presiding Officer now or the President pro tempore of the Senate.

Mr. McMENAMIN. Mr. President, I want to say that I cannot vote for these bills because of the grave danger that they will result in an increase in local property taxation. Certainly, I think we all know that the property owner is bearing a great bulk of municipal taxation now and cannot stand any more.

Mr. MILLER. Mr. President, as I mentioned earlier this evening, in representing a fourth and fifth class county. I intend to vote against these bills since the sentiment of the people in that district is against it, and I intend to represent them the way they feel they should be represented. Since they feel a hardship will be imposed upon them, I am voting against these bills.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Hare,	Mahany,	Stevenson,
Blass,	Harney,	Mallery,	Taylor,
Chapman,	Kephart,	McCusker,	Wade,
Crowe,	Kessler,	McPherson, Jr.	Walker,
Diehm,	Kopriver, Jr.	Peelor,	Watkins,
Fleming,	Letzler,	Propert,	Wood,
Freed,	Madigan,	Snowden,	Wagner, Presiding Officer

NAYS—19

Bane,	Lane,	Pechan,	Watson,
Barr,	Leader,	Ruth,	Weiner,
Camiel,	McGinnis,	Silvert,	Wolfe,
Dent,	McMenamin,	Stiefel,	Yosko,
Holland,	Miller,	Tocke,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, before we go into the Second Reading Calendar, I desire to make a brief statement.

Mr. President, the vote on these two bills here tonight convinced me of one thing, that the Republican Party can solidify itself on issues or tax matters when the special interests are exempted from taxation, but they cannot indicate the same unanimity when it comes to imposing taxes gainst the special interests. As this Session progresses, we will talk about what happened here tonight more than once.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act to amend Section 2 of the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising, and consolidating the law relating thereto," by giving juvenile courts jurisdiction during vacation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, entitled:

An Act to further amend Section 354 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by requiring approval of policies other than certain fire and marine policies issued by domestic mutual fire insurance companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 404, entitled:

An Act to amend the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred twenty-one (P. L. 579), entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safekeeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," by extending the provisions thereof to counties of the fifth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide an adsectum judgment index and fixing the fees of the prothonotaries therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 443, entitled:

Au Act to amend Section 785 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereo," by requiring the payment to the State Public School Building Authority by the State Superintendent of Public Instruction of the State appropriations withheld for nonpayment of rental by school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 444, Printer's No. 344, and
Senate Bill No. 475, Printer's No. 345.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 485, entitled:

An Act to amend section seven hundred three of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the forwarding of certain benefit checks to the Department of Public Assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 500, entitled:

An Act to amend the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need burial contracts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to amend clause (2) of section 204 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the provisions relating to change of classification of school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 576, Printer's No. 352, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 612, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of third class A cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 613, entitled:

An Act authorizing cities of the third class A to adopt the city manager plan of government providing for referendums providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials and courts of common pleas.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 682, Printer's No. 353, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 692, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits to school employes resigning from school service to enter the armed forces of the United States.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 695, Printer's No. 349, on second reading, go over in its order.

The PRESIDING OFFICER Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 821, entitled:

An Act to amend Section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdviisions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1059, entitled:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nne hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of service for policemen

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1352, entitled:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the minimum compensation payable to election officers in third to eighth class counties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Com-

monwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 463, entitled:

An Act to further amend subsection (b) of section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the composition of the return board and imposing duties on county solicitors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1440, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres more or less of land situate in the City of Erie Erie County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1505, entitled:

An Act to amend the act approved the twenty eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, July 7, 1953, at 12:00 o'clock m., Eastern Standard Time.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:55 o'clock p. m., Eastern Standard Time, until Tuesday, July 7, 1953, at 12:00 o'clock m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, July 6, 1953

The House met at 1:00 p. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Eternal God, through whose mighty power our fathers won their liberties of old; Grant, we beseech Thee, that we and all the people of this land may have grace to maintain these liberties in righteousness and peace, through Jesus Christ our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Wednesday, June 24, Thursday, June 25, Monday, June 29, Tuesday, June 30 and Wednesday, July 1, 1953? If not, and without objection, the Journal is approved.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY. RESOLUTION (Not Printed).

In the House of Representatives, July 1, 1953.

Bradley Mousley French came into this world Saturday morning, June 27 at the Harrisburg Hospital as one of the Blessed Events of the 1953 session of the Pennsylvania General Assembly.

Young Bradley, son of Ben I. French, Jr., who covers this House for the Associated Press is the latest edition to the Capitol Hill news corps. He weighed in at seven pounds, 10½ ounces.

Back in the 1949 session Mr. French married Marjorie Mousley of Philadelphia. Then in the 1951 session along came Gary Ben French.

The House of Representatives hereby extends its congratulations to Mr. and Mrs. French, 2665 Green Street, Harrisburg, and hopes that they will be able to come up with something similar for the 1955 session. The Clerk of the House is hereby requested to send copies of this resolution to the French family.

Referred to the Committee on Rules.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 347, 652, 951, 953, 1007, 1282, and 1283.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 347, Printer's No. 363, entitled "An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery OR forgery."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 652, Printer's No. 259, entitled "An Act to further amend Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 951, Printer's No. 403, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for the construction of sidewalks and the assessment and collection of certain cost thereof and for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards certain provisions relating to zoning."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 953, Printer's No. 360, entitled "An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1007, Printer's No. 368, entitled "An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled 'An act providing for payment of costs in criminal cases by the proper county' by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or to any court of the United States and eliminating ineffective provisions."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1282, Printer's No 263, entitled "An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by requiring corporate surety on certain bonds."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1283, Printer's No. 245, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds."

JOHN S. FINE.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1003.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith without my approval, House Bill No. 1003, Printer's No. 187, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such boards and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships."

This bill would permit a second class township to establish a board of health and appoint a health officer or officers to enforce and administer all health laws and regulations pertaining thereto of the State Department of Health and the Advisory Health Board in said township. It further authorizes said board to make and enforce such additional rules and regulations, not inconsistent with law, for carrying into effect the powers and functions with which these townships are vested by law and this bill.

After a most thorough study of the problems of public health in Pennsylvania by experts in that field, it was recommended that the administration and enforcement of the public health laws could best be done at the county level. This was adopted as the policy of this administration and was accepted by the Legislature in their enactment of the Local Health Administration Law, the Act of August 24, 1951, P. L. 1304, which provided for the establishment of county departments of health.

To provide for the establishment of new local units not now in existence would hinder and discourage the development of these county units, and might lead the public and health authorities to conclude that I now favor administration of the health laws on other than a county basis.

Although the establishment of county health units has not progressed as rapidly as I had hoped, insufficient time has passed since the enactment of the law providing for them to give this program a fair trial.

Believing the development of county departments of health should not be discouraged in any way until additional time is given for their establishment, I feel this bill should be vetoed.

For these reasons, the bill is not approved.

JOHN S. FINE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. WILLAREDT. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

RESOLUTION

PENNSYLVANIA BAR ASSOCIATION

The SPEAKER laid before the House a Resolution from the Pennsylvania Bar Association urging the General Assembly to reactivate the Special Committee on Decedent's Estate Laws of the Joint State Government Commission, with instructions to study the operation of Decedent's Estate Acts.

Referred to the Committee on Rules.

RESOLUTION

RECALLING HOUSE BILL No. 1152 FROM GOVERNOR

Mr. MOODY offered the following resolution which was read, considered and adopted as follows:

Resolved (if the Senate concur), that House Bill No. 1152, Printer's No. 388, entitled "An act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled 'An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class' by requiring the recorder of deeds in certain cases to report transfers of property to supervisors of townships of the second class," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Kohl for Mr. GUTENDORF for today's session because of illness.

Mr. Kohl for Mr. FLACK for today's session because of illness.

Mr. Pfaff for Mr. LIMPER for part of today's session because of illness in the family.

Mr. Leisey for Mr. ASHTON for today's session because of illness.

Mr. Clapper for Mr. ERB because of illness.

Mr. Musto for Mr. CURWOOD for today's session because of illness.

Mr. Ide for Mr. PEIFLY.

Mr. Granville E. Jones for Mr. PETTIGREW for today's session.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1281, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for parks recreation areas and facilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1393, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the appointment of a deputy city treasurer and prescribing his powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 342, entitled:

An Act to further amend subsection (c) of section nine hundred two and subsection (f) and the penalty clause of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses and by further prescribing gross weights and axle weights of motor buses having six or more wheels.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. BOMBERGER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1140, entitled:

An Act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

The first section was read.

On the question,

Will the House agree to the section?

Mr. AUKER. Mr. Speaker, on House Bill 1140, pursuant to my notice last week, I called up this bill and offer amendments.

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. AUKER. Mr. Speaker, may I interrogate the Majority Floor Leader?

The SPEAKER. Will the Majority Floor Leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman from McKean just why this bill is being put on the second reading postponed calendar.

Mr. JOHNSON. Mr. Speaker, I believe the gentleman from Berks, Mr. Weidner, and the gentleman from Northumberland, Mr. Bower, had better answer that question.

As I understand it, the conferences with various people who have amendments they want to offer to the bill, are still in progress. I understand conferences were held this morning and we are very nearly to the point with the bill where the controversy and amendments will be pretty much agreed upon. When that point is reached the bill can be prepared, passed on second reading and passed on third reading without any difficulty.

I understand from talking with the Committee Chairman that they are not quite ready today. Therefore, I believe it would be best for all concerned for the bill to lie over another day until the conferences are finished.

Mr. AUKER. Mr. Speaker, how many days this week will we be in session?

Mr. JOHNSON. Mr. Speaker, that again is problematical. I believe last week when we adjourned for the week it was stated that we would try to make this a full week of work. And insofar as the leadership is concerned that is our present intention.

Mr. AUKER. Mr. Speaker, I would like to know what the gentleman calls a full week of work. Whether it means staying here tomorrow, then going home or whether we are going to stay here Wednesday and Thursday and get some work done.

Mr. JOHNSON. Mr. Speaker, I would say a full week's work would be staying here until Friday.

Mr. AUKER. Mr. Speaker, I would like to interrogate the gentleman from Northumberland, Mr. Bower.

The SPEAKER. Will the gentleman from Northumberland permit himself to be interrogated?

Mr. BOWER. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if in their conferences in regard to House Bill 1140 it is in good shape that it can be called up tomorrow, and whether it will be called up tomorrow?

Mr. BOWER. Mr. Speaker, I would say that the conference is in such shape, that as a Member working with the Chairman, I am surprised to find that Members on my side of the House, have not presented their amendments

to the bill to the Chairman of the committee. And if such a condition exists, to any great extent, I do not see how we can possibly call the bill at all this week.

Mr. AUKER. Mr. Speaker, might I ask the gentleman if the amendments would be presented today which he refers to—naturally he refers to mine—whether or not the bill could come up tomorrow.

Mr. BOWER. Mr. Speaker, I feel in all fairness to Mr. Weidner that any Member on either side of the House who has amendments to this bill should present them to Mr. Weidner so that he can clear with the proper people—and by proper people I mean members of the Joint State Government Commission and others who have the technical knowledge as to whether the amendments are in shape to be accepted by the House as a whole.

Mr. AUKER. I thank the gentleman, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I again reiterate that this is a very, very important bill—a very important measure. It is a measure that, as I said last week, is mandated by the Constitution of Pennsylvania. The word "shall" is used—not "may" or "will"; but "shall."

While I understand, of course, the same as every other Member understands, and the same as the people of the Commonwealth understand, that there is no penalty attached to that particular provision of the Constitution whereby the Members of the House of Representatives can be penalized for failure to pass it as they have failed to pass it for the last thirty years, it seems to me it is high time that this thing be brought to the front and settled. We have had it on the calendar now for about five weeks.

So far as my own amendments are concerned, I spoke to the Chairman of the Committee, told him about our situation in Altoona, pointed the thing out to him and it was refused to be changed. Of course, the only recourse I have then is to offer the amendments on the floor of the House.

However, in deference to the conference that is going on I will submit the amendments to the Chairman of the Conference Committee, so-called, that is going on, has been going on for a week, and let them kick it around for another day and if they do not incorporate it in the bill, then I shall again call the bill up tomorrow, and insist that the House stay here until we get a vote on this bill this week.

On the question recurring,

Will the Houseagree to the motion?

It was agreed to.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 155, Printer's No. 404 and

House Bill No. 633, Printer's No. 438,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 789, as follows:

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglarly and requiring the county to pay the cost of such insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding after section 54 a new section to read as follows

Section 54.1 Insurance to protect against robbery burglary and larceny each county officer or employe who as part of his official duties handles money or has money in his possession at any time shall in addition to any bond required by law be covered by or furnish to the county adequate insurance indemnifying against the loss of such money through robbery burglary and larceny the cost of such insurance shall be paid by the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Gleason,	Markley,	Schwartz,
Alexander,	Glick,	Mathews,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Granle E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Paul F.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Naugle,	Vaughan,
Clapper,	Jump,	Needham,	Verona,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Down,	Kratz,	Polaski,	Wescott,
DuBois,	Kromer,	Polen,	Whalley,
Dougherty,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
Ewing,	Lederer,	Quisenberry,	Whitenight,
Farabaugh,	Leisey,	Ragot,	Willaredt,
Fenrich,	Leven,	Readinger,	Williams,
Ferster,	Leonard,	Reagan,	Wilt,
Filo,	Light,	Reidenbach,	Wood,
Fleischman,	Lippincott,	Richter,	Worley,
Floyd,	Lopresti,	Rosen,	Yeakel,
Flynn,	Lovett,	Rovansek,	Yetzer,
Dunn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Maxwell,	Schmidt,	Smith, C. C., Speaker
		Schuster,	

NAYS—0

NOT VOTING—10

Ashton,	Flack,	Limper,	Pettigrew,
Curwood,	Gutendorf,	Peifly,	Watkins,
Erb,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 814, entitled:

An Act to reenact and amend Section 24 of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by excluding foreign insurance companies from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth by domestic insurance companies associations and exchanges and by reducing the rate of tax as to mutual fire and casualty companies without capital stock

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on the third reading of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 6 of the title by striking out from the end of the line the word "excluding."

Amend page 1, line 7 of the title by striking out from the beginning of the line the following: "foreign insurance companies from," and inserting in lieu thereof the following: "extending the effective period of."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 894, entitled:

An Act to amend Section 316 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing a corporation by action of its board of directors to grant pensions allowances and stock options to its officers and other employees under certain circumstances and validating pensions allowances and stock options heretofore granted.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, will the sponsor please explain the operation of this bill and what it does?

Mr. THOMAS H. W. JONES. Mr. Speaker, House Bill 894 is an amendment to the business corporation laws permitting corporations to pay allowances. By allowance I mean a payment in the nature of a gratuity paid by a corporation to a dependent of an employe after the employe has died.

For example, if the wife of the shipping room clerk, who has spent twenty-five years with the corporation and should die, this bill would permit a gratuity to be paid to her, provided it is reasonable in amount and paid for a limited time, and also subject to certain other limitations which take the payment out of the category of a straight gift.

I might say that corporations have been doing this sort of thing for over a hundred years probably. The reason for the bill is to clarify existing law on the subject.

I might also say that this bill has been introduced pursuant to a resolution of the Pennsylvania State Bar Association and came to me as a Departmental bill from the Department of State.

Mr. LOPRESTI. Mr. Speaker, I also desire to ask the gentleman from Montgomery a question.

The SPEAKER. Will the gentleman from Montgomery permit himself to be further interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. LOPRESTI. Will the gentleman explain whether this bill has any effect upon the corporate net income tax which the state will collect?

Mr. THOMAS H. W. JONES. Ordinarily these allowances are permitted as tax deductions, I understand.

Mr. LOPRESTI. They are. Thank you.

Mr. THOMAS H. W. JONES. In fact I might explain some of the wording here in the bill for the record.

In the bill I myself inserted an amendment stating

that these payments may be made provided they are reasonable in amount. Also provided that they were only paid for a limited time.

Now those words were taken from the income tax regulations and the law interpreting those regulations. The idea was to keep corporations from taking a tax deduction that might be sky high.

I want to say for the record, and perhaps so that the courts may better interpret it, that I do not mean that our business corporation laws should be interpreted by the courts solely the way the courts have interpreted tax laws. I think they might extend it here and there in a suitable case. But I thought that by using that language, which stems from the income tax regulations, our courts would have a point of reference by which they could construe those words.

Mr. GLICK. Mr. Speaker, I desire to interrogate the gentleman from Montgomery County, Mr. Jones.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. GLICK. Mr. Speaker, I do not quite understand from what source of the corporate financial structure these benefits would be paid.

Mr. THOMAS H. W. JONES. In answer to the gentleman I would say that one of the great changes this bill makes in the old law, is the clarifying amendment which strikes out the word in the original corporation law, providing that these payments shall be paid out of the earnings of the corporation.

Now the payments of necessity in the long run will have to be paid out of earnings. But it was just over the use of that word that one company in particular, I think it was the UGI Company, was taken to the Supreme Court.

The situation that you run into is that some corporations, let us say in their particular fiscal year, will not have any net earnings. But they may have had a good year before. They may have credited some of their earnings in the year before, let us say under the heading of accumulated surplus. The question that arises legally is, is that surplus then to be considered earnings in the current fiscal year?

That question has been raised in the UGI case and the Supreme Court ruled that past earnings could also be taken into consideration in the payment of pensions and allowances.

Similar difficulties could be imagined. The question has been raised in one other case, a Bell Telephone Company case involving a raise in the city of Pittsburgh. In that case the Supreme Court of Pennsylvania stated, that these payments could be made in the same fashion as any operating expense of the corporation.

I think corporations have to pay their operating expenses from any source. They may be paid from a bank loan, if they are subject to large seasonal fluctuations. That is the reason for striking that from the original law and leaving it, so to speak, up in the air as to what source these payments shall be made from.

Mr. GLICK. Mr. Speaker, is it not correct that the way the bill reads presently so it could be interpreted as to permit distribution, or payments out of legal capital or stated capital?

Mr. THOMAS H. W. JONES. I certainly do not think so, Mr. Speaker. I think that is contrary to other sections of the corporation law. The stated capital and paid-in capital, are pretty much sacred cows, and I do not think you can do that.

Perhaps some of my legal friends in the House will come to my rescue on that, but that is certainly my curbstone legal opinion.

Mr. GLICK. One further question, Mr. Speaker.

Is it not correct that the Pennsylvania business corporation law says substantially that no stock or benefits or allowances or gifts shall be distributed except for money or property actually received or labor actually rendered to the corporation.

Don't you further think the survivors of these employes would be subject to the purview of the Pennsylvania business corporation law?

Mr. THOMAS H. W. JONES. Of course this bill is an amendment to the business corporation laws.

Ordinarily it is quite true you cannot make any distribution of funds from a corporation except those expressly authorized by law. That is one reason for this bill.

This sort of thing I say has been done for perhaps a hundred years. It was not until a certain case came along in 1952, the Keystone Macaroni Manufacturing case, which I believe arose in the courts of Lebanon County and went to the Supreme Court, that this procedure was ever questioned.

It was considered that this sort of thing was authorized by law. I see nothing wrong with it. It has a humanitarian purpose. The payments, if they are reasonable in amount, must be related to the services that have been performed by the employe.

The difficulty now actually, Mr. Speaker, is that many lawyers fear that this practice which they have always thought was authorized will no longer be valid, unless it is expressly authorized by statute.

Mr. GLICK. Mr. Speaker, is it not correct that under the interpretation it is quite possible that these allowances might be paid out of stated capital?

Mr. THOMAS H. W. JONES. Mr. Speaker, I cannot cite the gentleman's references on that point, but I feel confident that they could not. I think ordinarily if that sort of thing would happen, the only situation I could imagine would be that probably the people who paid it would go to jail.

You cannot form a corporation, get a lot of money in and promptly start paying people benefits. I do not see how you could possibly do it unless you are paying it with fraud, and any action like that is certainly illegal, or at least if it is not against the criminal law it is enjoinable.

Mr. GLICK. Mr. Speaker, I thank the gentleman.

Mr. READINGER. Mr. Speaker, may I interrogate the gentleman from Montgomery?

The SPEAKER. Will the gentleman from Montgomery permit himself to be further interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. READINGER. I would like to ask the gentleman to explain to me the amendments on Page 4 of the bill relating to stock options. I would like to know what changes are being made in the law and what the purpose may be.

Mr. THOMAS H. W. JONES. Mr. Speaker, the stock option provisions were put in in the same frame of mind by the Bar Association that caused them to put in the part relating to allowances and also, slightly, to pensions.

Stock options have been a device, I suppose, that have existed for a good long time. They have become particularly popular in the last 12 or 15 years, but there has been no express authorization of them in the Corporation Code.

I understand that in the last five or six years various decisions have been rendered in various courts in the country which have beclouded the authority of the board of directors and the shareholders and the corporate officers in relation to stock option plans. So it was thought advisable by the Bar Association, who, in their resolution authorizing and suggesting this sort of bill, thought it would be well to put something in the corporation law spelling out the power to grant stock options.

The reason again is fear on the part of the legal profession. Most all the large corporations, perhaps not most but certainly some of the very largest corporations in Pennsylvania today, have stock option plans in effect and have had for some time.

Does that answer the gentleman's question, or does he want me to be more specific?

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Montgomery permit himself to be further interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. ANDREWS. What particular corporation, or what particular corporations, have had an experience that has suggested the provisions of this bill? To what corporations are we running to the rescue? What particular corporations? This bill to my mind seems to be one of those bills that is designed to meet a particular situation. What is that particular situation?

Mr. THOMAS H. W. JONES. Mr. Speaker, the first part of the bill was suggested by the Keystone Macaroni Manufacturing Company case, which is dead and gone, and cannot happen again. The only motive for the bill is to clarify the situation arising from that case.

I might say, incidentally, that that case would have arrived at the same result regardless of this bill, but the prime purpose of the first part of the bill was to clear the air for the legal profession so they could give sound advice in respect to the granting of allowances, and also to a lesser extent, of pensions.

What I mean is, under the Keystone Macaroni case, in the first part of the bill, no lawyer who dealt with corporations could honestly say that any allowance was payable. That particular case happened to deal with an allowance—and a rather excessive one—made to the wife of a president of a corporation.

However, the principle applied to the president's wife is exactly the same which might apply to wife of a janitor. So if a janitor gave your firm 30 years of service and died in fairly poor circumstances and you wanted to give his widow a year's salary for humanitarian purposes and the corporation could afford it; after this Keystone Macaroni case, no lawyer can honestly say that the corporation had the power to do that. That is the sole purpose of the first part of the bill.

The second part of the bill primarily arises also out of two cases decided in the Supreme Court of Delaware, and they also involve fear on the part of the legal profession, and doubt as to the nature of stock options. One was the Hayden Chemical Corporation, and frankly I do not remember the name of the other one. Again those decisions are cut and dried, and neither one affects Pennsylvania.

The difficulty in those decisions was—and I do not want to get too technical; I might bring up too much about them—it is often said that a corporation management can be as silly as it likes and do the most ridiculous things, even to the extent of hurting the stockholders on occasion, but nevertheless they are the boss. That is the general rule.

The stockholders, like any democratic outfit, can remove the directors if they do not act rightly. In these two Delaware cases generally the idea was that stock option plans had been developed, and the Court of Delaware stepped in and said, "We do not think the directors used good judgment, and hence the plan is illegal."

The lawyers did not like that and they did not think it was sound corporation law. Hence, these provisions were written into this bill to spell out the powers of the legal profession in regard to corporations and in regard to suggesting and drawing up stock option plans.

Quite sincerely, Mr. Minority Leader, I do not think there is any particular corporation behind this. It is a varied combination of groups. They are all interested, the Bar Association and so on.

Mr. ANDREWS. Mr. Speaker, do I understand the gentleman correctly when he says that the purport of the second part of this bill is to give corporations a legal right to be as silly as they like?

BILL POSTPONED

Mr. THOMAS H. W. JONES. Mr. Speaker, I think it might be well to withhold a final vote on this bill today. I would like to talk with the Minority Leader. I am so convinced that it is a good bill that I do not want to see it fall.

I move that it be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection,
House Bill No. 1203, Printer's No. 447,
House Bill No. 1343, Printer's No. 440 and
House Bill No. 1376, Printer's No. 431,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1401, entitled:

An Act authorizing corporations to grant stock, options, pensions and allowances under certain circumstances, and validating stock options, pensions and allowances heretofore granted.

BILL POSTPONED

Mr. THOMAS H. W. JONES. Mr. Speaker, this bill deals with the same subject matter as House Bill 894 and I therefore, that it be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 199, as follows:

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain case before the Pennsylvania Labor Relations Board" by making certain changes in the grievance procedure provided for in the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" is hereby amended to read as follows

Section 1 As used in this act

* * * * *

(b) The word "strike" means the failure to report for duty the wilful absence from one's position the stoppage of work or the abstinence in whole or in part from the full faithful and proper performance of the duties of employment for the purpose of inducing influencing or coercing a change in the conditions or compensation or the rights privileges or obligations of employment Provided however That nothing contained in this act shall be construed to limit impair or affect the right of any public employe to the expression or communcation of a view grievance complaint or opinion on any matter related to the conditions or compensation of public employment or the betterment thereof so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment nor to limit impair or affect the right of any such employe to attend meetings conferences or hearings relating to such matters so long as such attendance is not designed to interfere with the full faithful and proper performance of the duties of employment for the further purpose of equitably carrying out the provisions of this act In order to avoid or minimize any possible controversies by making available full and adequate governmental facilties for the adjustment of grievances the governmental agency involved at the request of the public employes shall within fifteen (15) days of such request set up a panel of three members one to be selected by the employes one by the governmental agency and the two so selected to select a third member If within fifteen (15) days of their selection the two members selected by the governmental agency and the employes involved are unable to agree on the third member of the panel either the governmental agency or the public employes may petition the Court of Common Pleas of Dauphin County if the controversy involves the Commonwealth of Pennsylvania its agencies boards commissions or any of its authorities to select the third member of the panel If the controversy involves any political subdivision of the Commonwealth or any other authority within a political subdivision such petition for the selection of a third member of the panel shall be presented to the court of common pleas of the county wherein the political subdivision or the authority is situated Upon receipt of such a petition the proper court shall select the third member The members of the panel shall be compensated for all necessary expenses by the Commonwealth or the political subdivision thereof or the authority involved The panel shall meet within fifteen (15) days If the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted [if] If the conference negotiations do not result in rulings satisfactory to all parties concerned within thirty (30) days of a request made for a hearing by any of the parties concerned the panel shall afford the public employes and the governmental agency a full hearing [after which] Within thirty (30) days of the close of such hearing the panel shall make their findings copy of which shall be forthwith sent to the Governor to the General Assembly and to the head of the agency or political subdivision involved Upon receipt of the findings of the panel the Governor or the head of any political subdivision involved may take administrative measures to remedy the complaints if a state agency board commission or any of the state's authorities is involved such agency board commission or authority shall take administrative measures to remedy the complaints if such remedy is within its powers If the Governor or the head of the State agency or political subdivision finds that the situation complained of can only be remedied by legislative action the Governor may refer the matter to the Legislature for correction or the head of the State agency or political subdivision may refer the matter to the proper law-making body If the members of the panel decide that legal counsel is necessary they may with the approval of the Attorney General engage local counsel to advise them on the questions involved

Provided however That in the case of grievances or controversies involving employes of the public school system of the Commonwealth the school board or Board of Public Education at the request of the employes shall set up a panel of three members one an employe of the school district to be selected by the employes one a member of the board of school directors or Board of Public Education to be selected by such body and the third shall be the State Superintendent of Public Instruction or his nominee The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district or Board of Public Education involved

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Baumunk,	Guthrie,	McGee,	Snider,
Barkdoll,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Paul F.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Naugle,	Vaughan,
Clapper,	Jump,	Needham,	Verona,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kromer,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
DuBois,	Lafore,	Price,	White,

Dunn,	Lederer,	Quisenberry,	Whitenight,
Ewing,	Leisey,	Ragot,	Willaredt,
Farabaugh,	Leonard,	Readinger,	Williams,
Fenrich,	Leven,	Reagan,	Wilt,
Ferster,	Light,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Fleischman,	Lopresti,	Rosen,	Yeakel,
Floyd,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C.,
		Schuster,	Speaker

NAYS—0

NOT VOTING—10

Ashton,	Flack,	Limper,	Pettigrew,
Curwood,	Gutendorf,	Peifly,	Watkins,
Erb,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 528 as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial homeworkers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to homeworkers for manufacture or work thereon requiring permits and home-workers' certificates and prescribing the fees therefor conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations

The General Assembly of the Commonwealth of Pennsyylvania hereby enacts as follows

Section 1 Subsection (b) of Section 10 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring permits and home-workers' certificates and prescribing the fees therefor conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" is hereby amended to read as follows

Section 10 Fees

* * * * *

(b) For each annual renewal of such permit the employer or representative contractor shall pay to the department a fee of

(1) Fifty dollars ($50.00) where at no time during the preceding year did the employer or representative contractor directly or indirectly have business relations simultaneously with more than one hundred home-workers

(2) One hundred dollars ($100.00) where at any time during the preceding year the employer or representative contractor directly or indirectly had business relations simultaneously with more than one hundred but less than three hundred home-workers

(3) Two hundred dollars ($200.00) where at any time during the preceding year the employer or representative contractor directly or indirectly had business relations simultaneously with three hundred or more home-workers

Section 2 Section 10 of the act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 3 Section 22 of the act is hereby amended to read as follows

Section 22 Rules and Regulations and regulations necessary to carry out the provisions of this act shall be made by the department with the approval of the Industrial Board It shall have the power and its duty shall be to enforce all the provisions of this act except as otherwise specifically provided

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Bear,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Harris,	Mihm,	Stevenson,
Boles,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Bomberger,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Strausser,
Bower,	Hocker,	Moody,	Sucher,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Tompkins,
Bucchin,	Jim,	Muldowney,	Toomey,
Buchanan,	Johnson,	Munley,	VanSant,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	Varner,
Cianfrani,	Jones, Paul F.,	Musto,	Vaughan,
Cioffi,	Jones, T. H. W.,	Naugle,	Verona,
Clapper,	Jump,	Needham,	Wall,
Cochran,	Kamyk,	Ogilvie,	Wallace,
Comer,	Keller,	Olsen,	Walsh,
Connelly,	Kent,	Parlante,	Wargo,
Conner,	Kerlin,	Peta,	Waterhouse,
Cooper,	Kohl,	Petrosky,	Weidner,
Coyle,	Kolankiewicz,	Pfaff,	Wescott,
Davis,	Kornick,	Phillips,	Whalley,
Dougherty,	Kratz,	Polaski,	Wheeler,
Down,	Kromer,	Polen,	White,
Downey,	Kubacki,	Poltenstein,	Whitenight,
DuBois,	Lafore,	Price,	Willaredt,
Dunn,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Lippincott,	Richter,	Yetzer,
Fleischman,	Lopresti,	Rosen,	Young,
Floyd,	Lovett,	Rovansek,	Zeitz,
Flynn,	Lutty,	Royer,	Ziegler,
Frost,	Maguire,	Rubin,	Smith, C. C.,
Geer,	Mahan,	Sarraf,	Speaker
Gibson,	Markley,	Schmidt,	

NAYS—3

Taylor	Toll,	Welsh,

NOT VOTING—10

Ashton,	Flack,	Limper,	Pettigrew,
Curwood,	Gutendorf,	Peifly,	Watkins,
Erb,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. WOOD asked and obtained unanimous consent to extend the time five days on House Bill No. 952, Printer's No. 427, on page 11 of today's calendar, bills on final passage postponed.

Mr. WOOD asked and obtained unanimous consent to extend the time five days on House Bill No. 1041, Printer's No. 346, on page 11 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 168, as follows:

An Act to further amend the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further regulating the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, will the sponsors of this bill, or either of them, explain the changes it makes in the parole laws of Pennsylvania?

The SPEAKER. Will the gentleman from Allegheny, Mr. Vaughan, explain the bill?

Mr. VAUGHAN. Mr. Speaker, what the bill does, if a man is given three to six years in the penitentiary, at the end of three years, if he has a good institutional record, he is immediately paroled. He is still under the Parole Board. He has to report to the Parole Board just the same as if the Parole Board had released him. The only thing this bill does is that the man does not have to have a sponsor. That would be about the only change in the parole laws.

Mr. SARRAF. Mr. Speaker, will the sponsor be kind enough to let the bill go over temporarily?

Mr. VAUGHAN. Mr. Speaker, I sure will.

The SPEAKER. Without objection, the Chair will withdraw its decision that this bill was agreed to on third reading. The Chair hears none.

BILLS PASSED OVER

There being no objection

House Bill No. 168, Printer's No. 370

was passed over at the request of Mr. SARRAF.

There being no objection

House Bill No. 627, Prnter's No. 373 and

House Bill No. 834, Printer's No. 345

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1204, as follows:

An Act to amend Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 131) entitled "An act requiring cities of the second class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year except in emergency cases" by further regulating minimum vacation periods

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 131) entitled "An act requiring cities of the second class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year except in emergency cases" is hereby amended to read as follows

Section 1 All cities of the second class A having fire departments shall allow every member of such fire departments to have at least twenty-four consecutive hours of rest in every calendar week exclusive of the time when the change of shifts occurs except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration public celebrations and to have an annual vacation of not less than fourteen working days without the diminution of the salary or compensation fixed by ordinance or statute

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Granle E.,	Murray, P. G.,	Varallo,

Cianfrani,	Jones, Paul F.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Naugle,	Vaughan,
Clapper,	Jump,	Needham,	Verona,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kromer,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
DuBois,	Lafore,	Price,	White,
Dunn,	Lederer,	Quisenberry,	Whitenight,
Ewing,	Leisey,	Ragot,	Willaredt,
Farabaugh,	Leonard,	Readinger,	Williams,
Fenrich,	Leven,	Reagan,	Wilt,
Ferster,	Light,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Fleischman,	Lopresti,	Rosen,	Yeakel,
Floyd,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C.,
		Schuster,	Speaker

NAYS—0

NOT VOTING—10

Ashton,	Flack,	Limper,	Pettigrew,
Curwood,	Gutendorf,	Peifly,	Watkins,
Erb,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1240, Printer's No. 389,
House Bill No. 1324, Printer's No. 411,
House Bill No. 1374, Printer's No. 381,
House Bill No. 1348, Printer's No. 441,
House Bill No. 1349, Printer's No. 336,
House Bill No. 1359, Printer's No. 342,
House Bill No. 1377, Printer's No. 284 and
House Bill No. 1390, Printer's No. 442,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1505, as follows:

An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" is hereby amended to read as follows

Section 4 The provisions of this act shall become effective immediately upon final enactment and the daily compensation provided for in this act shall be payable to regular session employees of the Senate and House of Representatives employed for the work of the legislative session of one thousand nine hundred and fifty-one and for each regular legislative session thereafter for work done on and after the sixteenth day of June [one thousand nine hundred and fifty-one]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Paul F.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Naugle,	Vaughan,
Clapper,	Jump,	Needham,	Verona,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kromer,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
DuBois,	Lafore,	Price,	White,
Dunn,	Lederer,	Quisenberry,	Whitenight,
Ewing,	Leisey,	Ragot,	Willaredt,
Farabaugh,	Leonard,	Readinger,	Williams,
Fenrich,	Leven,	Reagan,	Wilt,
Ferster,	Light,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Fleischman,	Lopresti,	Rosen,	Yeakel,

Floyd,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C.,
		Schuster,	Speaker

NAYS—0

NOT VOTING—10

Ashton,	Flack,	Limper,	Pettigrew,
Curwood,	Gutendorf,	Peifly,	Watkins,
Erb,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 85, Printer's No. 41
Senate Bill No. 96, Printer's No. 334
Senate Bill No. 207, Printer's No. 278
Senate Bill No. 326, Printer's No. 94
Senate Bill No. 471, Printer's No. 160

were passed over at the request of the SPEAKER.

BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STIMMEL.

The House resumed the consideration on third reading of Senate Bill No. 304, enttled:

An Act to further amend Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonweath for loss or damage arising out of policies of insurance surety or idemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interests and providing penalties" by further regulating the licensing and conditions for transaction of such business.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STIMMEL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, (Sec. 3), page 6, line 4, by inserting after "276)" Provided, That nothing in this section shall prevent a licensed public adjuster or public adjuster solicitor from paying any fee or fee commission to attorneys-at-law, accountants, other licensed public adjusters or public adjuster solicitors individually, as a partnership, association, or corporation for services rendered.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the Majority Leader what has become of our little rent control bill. I think the Majority Leader and the Minority Leader sponsored a stand-by rent control bill. I wonder what has become of it.

Mr. JOHNSON. Mr. Speaker, in answer to the interrogation, I might say that since Mr. Andrews and myself sponsored a rent control bill I have received another bill from the Attorney General's office which will be introduced, I trust. It varies somewhat from the bill Mr. Andrews and I put in and I was hoping that we would get the bill introduced this week with the same sponsorship, if the Minority Leader will be willing to go on the bill.

Mr. ANDREWS. Mr. Speaker, I would be very glad to go on the bill if it does not sink into the same pit that our first attempt sank into.

Second, when is it proposed to take House Bill No. 1 off the table?

Mr. JOHNSON. Mr. Speaker, in answer to that particular interrogation, I would say that we plan this week, possibly tomorrow, to have debate on that bill. We will make a motion either tomorrow or Wednesday to take the bill from the table, and I cannot say whether the motion will be to concur in the Senate amendments or whether to ask the Senate to recede from its amendments.

Mr. ANDREWS. Mr. Speaker, when will we know whether the leadership has composed its mind and reached a decision? Tomorrow?

Mr. JOHNSON. Mr. Speaker, yes, in fact I hoped to have had the decision today, but surely we will have that decision by tomorrow. The bill should be passed so that it can get on the ballot and be printed for vote this Fall.

Mr. ANDREWS. Mr. Speaker, will it be necessary for us to go through the formality of attempting to discharge the committee from FEPC legislation, or will FEPC legislation be reported to this floor for action in conformity with the pledges made by both our political parties in this state?

Mr. JOHNSON. Mr. Speaker, I believe this bill is in committee, and the Chairman of that particular Committee is here. I would not presume to speak for the Chairman of the Committee nor the Committee.

Mr. ANDREWS. Mr. Speaker, could I be privileged

to question the Chairman of the Committee that has the FEPC bill in its fell clutches?

The SPEAKER. Will the gentleman form Mercer permit himself to be interrogated?

Mr. YOUNG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is it likely that in the comparatively near future the House will have the opportunity to act upon an FEPC bill?

Mr. YOUNG. Mr. Speaker, that depends entirely upon whether we have the money to pay for the bill or not. This is not a moral issue with me and if there is to be any criticism directed towards the administration or towards the leadership, I want the House to understand that I am the one person who is holding this bill up. The administration wants it. The leadership wants it. I do not want it until we have the money to pay for it. You give me the money; I will give you the bill.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman says he is the sole agency that is keeping this bill off the floor of the House. I presume he speaks for his Committee, but we have to write that into what he said. What he said was that he individually is keeping the bill off the floor, and then he takes jurisdiction of the financial situation and divorces the bill from its proper setting.

The financial affairs are in the keeping of the Chairman of the Ways and Means Committee. Now the Chairman of the Ways and Means Committee does not have any right to say to the Chairman of some other Committee, you cannot report that bill. The thing for this House to do is to try to keep the promises it made, trot out the bill, and then the responsibility for finding the money is the responsibility of the House and is not the responsibility of any Chairman of any Committee. His jurisdiction is with his decision regarding this bill. He probably has the votes to keep us from discharging the Committee, but if his attitude is that he is going to take jurisdiction of the financial situation until that is solved according to his liking and he is not going to let the bill out of Committee, we will have to try to discharge the Committee.

PERMISSION TO ADDRESS HOUSE

Mr. YOUNG asked and obtained unanimous consent to address the House.

Mr. Speaker, we have been endeavoring here since we met in January to resolve our fiscal problems, and as everyone in Pennsylvania knows, and half of the rest of the United States, we have not been able to resolve those problems.

We have already suggested to the administration that we cut some $20 million from the proposed budget. We have not cut wisely, but too well. We do not know if we are cutting rightly or not.

We have said to the people of Pennsylvania, "We cannot give you a half-million dollars for an alcoholic hospital; we cannot give the farmers the money for a blood-testing laboratory; we have not been able to give the state mployes their increase; we have taken a half-million away from Independence Mall in Philadelphia; we have taken a certain amount of money away from the University of Pittsburgh; we have suggested cuts in the Point Park appropriation."

The last figures I had were $111 million short of realizing our ambition of balancing the budget.

Experience in other states has indicated that Pennsylvania may expect about 700 cases to be processed before the FEPC Commission, based on our population in comparison with states which have FEPC legislation. Their experiences further indicates that it will cost about $1,000 a case which is $700,000 per biennium. Now the Governor's budget two years ago had an item of $350,000 for this commission. I do not assume that the cost of government has gone down any. The indications I have noticed have indicated that it has gone up. So we will assume that it will cost from $350,000 to $700,000 to create a new commission. I do not believe we can in clear conscience ask the people to assume that extra financial obligation when we can not even meet existing ones.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Mercer.

The SPEAKER. Will the gentleman from Mercer permit himself to be interrogated?

Mr. YOUNG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, would it not follow in the usual practice that if a bill were reported from Committee to the floor carrying an appropriation that it would automatically be referred to the Appropriation Committee and would not emerge from the Appropriations Committee until such time as there were funds available to finance it?

Mr. YOUNG. Mr. Speaker, there is no appropriation in the bill.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

If there is no appropriation in the bill and no appropriation in the general appropriation bill, the bill would become inoperative, and it would not cost the Commonwealth a single penny, but at least we would have passed the bill.

Mr. YOUNG. Mr. Speaker, although the bill does not carry an appropriation, it does create a Commission. The salary of the Chairman of the Commission is $9,000 a year, the other two members receive $8,500. That is $52,000 a biennium. The bill states,—I believe infers that the Department of Labor and Industry will administer the bill and the moneys will be furnished from the Department of Labor and Industry appropriation. However, I would point out that that appropriation is smaller than it was two years ago.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, what are the estimates as to the funds to be derived from those tax measures that are a part of our permanent tax structure?

Mr. JOHNSON. Mr. Speaker, I can answer the query by stating that the funds to be derived from our present tax structure are stated in the budget with the additional sum of approximately $20 million which Governor Fine in his message to this General Assembly, about a month ago, stated they now find will be received in addition to what is stated in the budget. That is mainly, as we stated one day on the floor here, $2 million increase in franchise tax

revenues, $2 million estimated in upping the inheritance tax, $2 million increase in institutional revenues, a $5,400,000 increase in the estimates from the corporate net income tax. So if you have your budget readily available in front of you, you can add to the estimated revenue which we will receive, if we do not add any new taxes, the sum of $20 million approximately.

Mr. ANDREWS. Is the cigarette tax the only emergency tax, so called, and has it been sent to the Senate?

Mr. JOHNSON. The cigarette tax on the calendar is not an emergency tax measure. It is merely a measure which increases the present permanent cigarette tax by one cent.

I believe the only emergency tax measure on our calendar at the present time which is included in the Governor's budget is the mutual insurance tax, which is House Bill 814 and which is on the calendar.

Mr. ANDREWS. If we send the cigarette tax to the Senate as is, without any boost, how much would the emergency taxes and the permanent taxes yield? Would it not be about $820 million, something like that?

Mr. JOHNSON. Mr. Speaker, the cigarette tax bill that is presently on our calendar is not an emergency tax measure. The cigarette tax of four cents a pack is presently the law and is a permanent tax. This bill that is on our calendar now merely raises the tax one cent a pack. So if this bill does not pass, we will have a four-cent tax on a pack of cigarettes without any action by either the House or the Senate as I understand it.

The only emergency tax that is before us, as I say, is the domestic mutual insurance tax bill. The other emergency taxes that are before the Senate right now are the one percent corporate net income tax which we put on last session as temporary. That we have sent to the Senate and the manufacturers' exemption is in the Senate. That is a temporary measure. I believe that is all.

Mr. ANDREWS. Mr. Speaker, if the House would fall dead tomorrow, the Senate nevertheless would have jurisdiction over taxes now in it's possession, which, together with regular taxes, would yield about $820 million, is that right?

Mr. JOHNSON. I believe your question is, if nothing further were done with respect to taxes by either the House or the Senate, how much money would the state realize from permanent taxes? Is that your question?

Mr. ANDREWS. That is right, from the permanent taxes and the special taxes that we have sent over.

Mr. JOHNSON. Well, I would say that if the House and Senate do nothing further with regard to taxes, and you will take the figure of $836 million and add $20 million to it, which Governor Fine says we will receive by reason of upping the estimates, that gives us $856 million. Deduct from that approximately $52 million, one percent corporate net income which we will lose, that would bring us down to $800 million. Deduct the domestic mutual insurance—

Mr. ANDREWS. We are taking it for granted that the action in the Senate is in approval of any action of the House. We have sent them these bills and they are over there in their custody. They can "up" the corporate net income tax if they want to, or they can pass it at the figure we send over.

Mr. JOHNSON. If we go on that premise, that the Senate will pass what taxes we have sent over to them, we will receive $856 million, less the mutual insurance, which I believe is $4 or $5 million. So there would be approximately $850 million which will come into this Commonwealth during the next two-year period if we do nothing further and the Senate passes what taxes we have already sent to them.

Mr. ANDREWS. Mr. Speaker, I am strongly impressed with the view that $856 million is quite a hunk of money, and there is always a possibility that it may occur to the other branch of this General Assembly that some of the taxes which we have sent to them and some of the taxes which are a permanent part of our tax structure might perhaps be "upped" a bit.

I have been credibly informed that such ideas are brewing in the Senate. There are even some Democrats in the Senate who are talking about making some increases in our standard tax structure.

Even though the Senate cannot screw its courage to the sticking point and suggest to the House some of the things that the House has lacked the courage to suggest to the Senate, it is nevertheless possible on the basis of the funds available to make generous provision for all the needs of the Commonwealth, or at least for the first year of the biennium. That can be done and that should be done.

Departments should not be in any ignorance at this time as to the funds available for the first year of the biennium. We have been unfortunately unable to resolve our tax problems.

The Majority Leader is quoted in the paper I read as saying, "we are going to stick it out all summer if need be." Well, I am not going to stick it out all summer, and I don't believe the Members of this House are going to stick it out all summer. There are plausible arguments that can be made in favor of the view that because of a psychological situation that has arisen, because of political feuds that may be temporary, it would be the better part of wisdom to call from the table the sine die resolution, fix a definite date for sine die adjournment, make provision for the first year of the biennium—and make generous provisions for the first year—and then come back when things have settled into a saner situation and then complete our work.

We are told that if we do not balance the budget for the biennium, the Governor will call us back the next day. He may call us back, and three of us will come. He may call us back next January for a two-week session to vote for finances, and we will all come. Surely by that time, not only the financial situation will resolve itself, but we will meet under conditions that do not offer the temptation to so many Members to make so many private agreements that are made possible by reason of the critical situation that confronts the majority leadership.

If we come back in January, or following Labor Day, and the only thing we are to consider is tax legislation,—there cannot be any dealing with a truck bill, or a Kent bill, or any other bill, because there will be nothing to deal with. You cannot even deal then with a reapportionment bill. You can come back clean, operating in an atmosphere of restored sanity.

I am simply offering that idea to the membership of the House for their thoughtful and prayerful consideration.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the gentleman from Westmoreland.

Mr. ANDREWS. I desire to interrogate the gentleman form Westmoreland.

The SPEAKER. Will the gentleman from Westmoreland, Mr. LOVETT, permit himself to be interrogated.

Mr. LOVETT. Mr. Speaker, I shall.

Mr. ANDREWS. Will the gentleman from Westmoreland please define a "rural" Member? Who and what comprise the rural constituency?

Mr. LOVETT. Mr. Speaker, I feel that I informed this House before that the rural members of the Democratic Bloc are those who do not come from Philadelphia or Pittsburgh—Allegheny or Philadelphia. That is who it includes.

Mr. ANDREWS. I thank the gentleman.

COMMITTEE MEETINGS

FISHERIES—Mr. Stimmel, Chairman, Room 331, Tuesday, July 7, at 11:00 a. m. DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Tuesday, July 7, at 11:15 a. m. DST.

LAW and ORDER—Mr. Toomey, Chairman, Room 325, Tuesday July 7, at 11:00 a. m. DST.

LIQUOR CONTROL—Mr. Price, Chairman, Room 325, Tuesday, July 7, at 10:00 a. m. DST.

STATE GOVERNMENT—Mr. Watkins, Chairman, Room 324, Tuesday, July 7, at 10:00 a. m. DST.

The Legislative Service Club will meet for breakfast in the Plantation Room—Penn Harris Hotel tomorrow morning at 8:45 a. m.

There will be a meeting of the Democratic Rural Members one hour before we convene Tuesday, Old House Caucus Room

ADJOURNMENT

Mr. RUBIN. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 7, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 3:47 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, JULY 7, 1953. No. 60.

SENATE

TUESDAY, July 7, 1953.

The Senate met 12:00 o'clock m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. PHILIP SENT, Pastor of Trinity Evangelical and Reformed Church Everett, offered the following prayer:

God of nations and God of souls, these select citizens of our State sit again to promote the welfare of its people. Therefore, may we know that we must bow not in custom but in deference to the truth, that the will of government must first be the will of God.

We are sitting among a great host of living witnesses to our efforts, great and small, whose lives depend on our words and right thinking. That mother who sent this day her children out into the world with courage in a fearful world; or that father who this day tries to keep his family in balance on the seesaw of economic life; the people who are trained to help us do the things of life; the doctor, the nurse, going about their administrations; the teacher preparing to instruct our new citizens into this strange world; the judge and lawyer, who dispense justice, truth and mercy; courageous enterprisers; skilled artisans; and the farmer, who at this moment is in the opposite corner of his hundred lonely acres; the aged; the widow; the orphan; the mentally infirm; the law breaker; all depend on the wisdom of these first citizens of our State.

Therefore, let them be aware to direct their virtues not only by the strength of law, the delight of delegated authority, skill, cleverness, money, numbers, experience, custom, but, also, let them have the health-giving virtues of the spirit, temperance piety, forbearance, integrity, tolerance, virtue, faith, hope and love.

When the deliberations of our Ship of State seem to flounder, let there be courage to bring all truth to light of day and to the light of good sense, without hidden knowledge or without deference to privilege, knowing that as good seamen only one course can be pursued on one voyage. Let us work together in harmony and let us be reminded that the Ruler of Ages will tomorrow demand greater decisions needing greater wisdom and a higher patriotism.

Bless the helmsmen of these Sessions, the Governor, the Officers of the Senate and House, committemen. Let us all look to the great Christ as the true example of how men should live, of whom even a poor Governor said, "I can find no fault in him."

We pray for peace, the peace of the world. May we, as a great Nation and a privileged Nation, not be so calloused to those who are underprivileged that we may stand in the way of peace. May we look forward and bring about to pass that which is said in the Scriptures, "He shall make wars to cease unto the ends of the earth."

Therefore, we ask Thy blessing on the opening of this Assembly that we may see the blessed things given to us. Thou art our God who gives blessings, and above all nations and races and times, Thou hast blessed this Nation from ocean to ocean and from border to border. So, in a sense of gratitude for this blessedness, let us humbly work together in that sense of blessedness.

At the close of this day may it be said of us that our lives have blessed Thee, our Almighty God. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WALKER, further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committe on Highways, reported as committed Senate Bill No. 33, entitled:

An Act to amend section 2 of the act, approved the first day of April, one thousand nine hundred twenty-five (Pamphlet Laws 100) entitled "An act making it unlawful to drive over certain interstate bridges, with loads of excessive weight; and inflicting penalties," by providing for payment of costs of prosecution, for imprisonment in default of payments of fines and costs, and for the disposition of fines, penalties and forfeitures.

He also, from the Committee on Highways, reported as committed Senate Bill No. 34, entitled:

An Act authorizing the Delaware River Joint Toll Bridge Commission with approval of the Secretary of Highways, to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purposes of the Commission; and providing for the disposition of proceeds thereof.

He also, from the Committee on Highways, reported as committed Senate Bill No. 118, entitled:

An Act to further amend Section 612 of the act, ap-

proved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the weight of tractors on bridges; changing penalties.

He also, from the Committee on Highways, reported as committed House Bill No. 381, entitled:

An Act to amend section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising conslidating and changing the laws admininstered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways.

He also, from the Committee on Highways, reported as committed House Bill No. 382, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township.

He also, from the Committee on Highways, reported as committed Senate Bill No. 392, entitled:

An Act to further amend subsection (a) of section 805 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous recepits; making an apropriation and providing for refunds," by changing the provisions relating to lighting equipment.

He also, from the Committee on Highways, reported as amended Senate Bill No. 482, entitled:

An Act to further amend subsection (j) and the penalty clause of section 620 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matters of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making it a crime to commit a fraud regarding any form or application filed with the Department.

He also, from the Committee on Highways, reported as committed House Bill No. 585, entitled:

An Act to further amend subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the possession of certain certificates of inspection and approval.

He also, from the Committee on Highways, reported as committed House Bill No. 626, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where informations charging violations of summary provisions of said act may be brought

He also, from the Committee on Highways, reported as committed House Bill No. 688, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

He also, from the Committee on Highways reported as committed House Bill No. 883, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehcles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment.

He also, from the Committee on Highways reported as amended House Bill No. 1021, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses

Mr. HARE, from the Committee on Highways reported as amended Senate Bill No. 430, entitled:

An Act to add Section 1035 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the depositing of foreign material on highways and providing penalties.

He also, from the Committee on Highways reported as committed Senate Bill No. 605, entitled:

An Act to amend the title, section two and subsection (c) of section four of the act, approved the twenty-seventh day of September, one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System, at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable, to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York, between the Susquehanna and Delaware Rivers, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission, including tolls, or from such funds as may be available to the Commission for that purpose, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike

revenue refunding bonds," by providing for the construction, operation and maintenance of central connection extensions.

Mr. KOPRIVER, JR., from the Committee on Local Government reported as committed House Bill No. 226, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing the reassessment of certain property in townships of the first class in certain cases, and imposing liability for township taxes upon the owners thereof.

He also, from the Committee on Local Government, reported as committed House Bill No. 305, entitled:

An Act to further amend Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by designating employes of the County Planning Commission as county employes.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 704, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing provisions concerning notice to owners of property in regard to assessments.

He also, from the Committee on Local Government, reported as committed House Bill No. 789, entitled:

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and egihth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglary and requiring the county to pay the cost of such insurance.

He also, from the Committee on Local Government, reported as committed House Bill No. 1336, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assesments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further defining the manner of making assessments and regulating appeals

He also, from the Committee on Local Government, reported as amended House Bill No. 1350, entitled:

An Act to amend subsection B and C of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring members to serve without compensation and the treasurer to post a bond

He also, from the Committee on Local Government, reported as committed House Bill No. 1420, entitled:

An Act to amend Section 6 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1633) entitled "An act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation" by changing limitation as to tenant admissions in urban redevelopment projects

He also, from the Committee on Local Government, reported as committed House Bill No. 1421, entitled:

An Act to amend Section 12 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by providing for the admission of certain evidence before the board of view or the court of common pleas

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles G. Allan, R. D. No. 1, Box No. 479, Monaca, Beaver County, for appointment as Justice of the Peace in and for the Township of Potter, Beaver County, until the first Monday of January 1954 to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Duane E. Weidler, Meadville Road, Platea, Erie County, for appointment as Justice of the Peace in and for the Borough of Platea, Erie County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph D. Johnson, R. F. D. No. 4, Box No. 139, Erie, Erie County, for appointment as Justice of the Peace in and for the Township of Summit, Erie County, until the first Monday of January 1954, vice Frank A. Lennberg, Jr., resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Williams, 601 Charles Street, Houtzdale, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Houtzdale, Clearfield County, until the first Monday of January 1954, vice R. G. Reed, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Russell G. Clements, 1709 West Meetinghouse Road, Boothwyn, Delaware County, for appointment as Justice of the Peace in and for the Township of Upper Chichester, Delaware County, until the first Monday of January 1956, vice Robert J. Clements, deceased.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin J. Stroman, 1819 Forster Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the 15th Ward of the City of Harrisburg, Dauphin County, until the first Monday of January 1956, vice F. R. Laverty, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, EDINBORO STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm B. Mershon, 205 Lake Street, Girard, Erie County, for reappointment as a member of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold R. Humbert, 577 Reno Street, Rochester, Beaver County, for appointment as Justice of the Peace in and for the Borough of Rochester, Beaver County, until the first Monday of January 1954, vice William B. Brown, deceased.

JOHN S. FINE.

MEMBER OF STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Catherine E. Drumm, Educational Director, School of Nursing, Geisinger Memorial Hospital, Danville, Montour County, for appointment as a member of the State Board of Nurse Examiners, for the term of six years, and until her successor is appointed and qualified, vice Miss Edith D. Payne, Pittsburgh, resigned.

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

Mr. DIEHM read in his place and presented to the Chair Senate Bill No. 752, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments, boards and commissions.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 753, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and mposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the written approval of the comptroller of requisitions for money appropriated to State departments, boards or commissions.

Which was committed to the Committee on State Government.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 754, entitled:

An Act to further amend clause (a) of Section 412 and clause (b) of Section 615 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds." by providing for the suspension of registrations, operators' licenses and learners' permits, in certain cases in which vehicles are used for, or to transport gambling devices or persons to places for the purposes of prostitution, assignation, pandering, fornication, gambling or other immoral purposes.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 755, entitled:

An Acst to amend Section 605 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that in prosecutions for gambling, proof of the presence of the defendant in a gambling house shall constitute prima facie proof of the commission of the crime by the defendant.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 756, entitled:

An Act providing for the establishment of a "Vice Squad" as an agency in the Pennsylvania State Police force to be used for the elimination and control of prostitution, gambling and other immoral and indecent offenses throughout the Commonwealth.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President and Members of the Senate, the infantile paralysis period is with us again in this year of 1953. Thus far, epidemics have broken out in Alabama and North Carolina. Where and when another epidemic will strike, nobody knows.

Mr. President, there is no necessity of my telling you of the crippling effects of infantile paralysis. Unfortunately, there is no cure for it at this time. Because of that, we have a March of Dimes Campaign every year. We put on drives for funds in all communities, not only in Pennsylvania but throughout the entire Nation, to raise funds for research purposes. As I understand it, a serum has been developed called gamma globulin. It is effective as a preventive, and I understand it is very, very scarce.

Mr. President, a youngster of one of my constituents was afflicted with this horrible disease about two weeks ago. The youngster was assisted home by two other youngsters, who subjected themselves to this terrible disease. Immediately there was a search made for gamma globulin in the area. There was none to be found.

Mr. President, I was somewhat amazed to learn that although this precious serum was not in the hands of legitimate representatives of the medical profession or the health department, yet those operating in the black market seemed to have a supply of it and offered it to the parent of the afflicted child at $40.00 an ounce. How this person got hold of this serum, I do not know. However, it does appear to be on the black market.

Therefore, Mr. President, I thought it would be timely and a good idea to introduce a bill calling for the proper punishment of those who have illegal possession of this very scarce and valuable serum, and present it to this Legislature with the hope that the bill would be acted upon.

Frankly, Mr. President, because the serum is effective and particularly scarce, those who gain possession of it and dispose of it on the black market basis, should be horsewhipped in the public square. That is not the provision provided in these bills, but that should be the punishment. The punishment in this bill is $5,000 fine and two years in jail.

BILLS INTRODUCED AND REFERRED

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 757, entitled:

An Act relating to the unlawful obtaining, possessing and disposing of Gamma Globulin.

Which was committed to the Committee on Public Health and Welfare.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 758, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further providing for the appointment, tenure and duties of bituminous mine inspectors.

Which was committed to the Committee on Mines and Mining.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 759, entitled:

An Act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines and making an appropriation.

Which was committed to the Committee on Mines and Mining.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 760, entitled:

An Act to encourage the location of new and the expansion of existing industries in the Commonwealth through the granting of State-aid to municipality authorities for the construction of industrial plants; placing certain limitations and restrictions on such loans and making an appropriation.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 761, entitled:

An Act prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties.

Which was committed to the Committee on Judiciary General.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by redefining the term, share certificate, and further providing for the issuance and preservation of share certificates.

Senate Bill No. 323, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief asesor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law

Senate Bill No. 324, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers

Senate Bill No. 535, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when and how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mort-therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in gages and liens on such property and the proceedings sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their

reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments

Whereupon

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported the following communication from His Excellency, the Governor.

RECALLING NOMINATION OF MRS. SARAH K. EVANS AS JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I de hereby recall my nomination dated March 23, 1953, for the appointment of Mrs. Sarah K. Evans, Herminie, Westmoreland County, as Justice of the Peace in and for the Township of Sewickley, Westmoreland County, until the first Monday of January 1956, vice Adrian R. Newhouse, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

Mr. WATSON. Mr. President, from the Committee on Executive Nominations, I now report the nomination which has been recalled by the Governor.

The nomination was read as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 23, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sarah K. Evans, Herminie, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Sewickley, Westmoreland County, until the first Monday of January 1956, vice Adrian R. Newhouse, resigned.

JOHN S. FINE.

REPORTS FROM COMMITTEE

Mr. WEINER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER, from the Committee on State Government, reported as committed House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commission; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare, defining its powers and duties.

He also, from the Committee on State Government, reported as committed Senate Bill No. 342, entitled:

An Act to further amend Section 31 of the act approved the twenty-ninth day of March, one thousand eight hundred three (P. L. 542), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," by permitting the Commissioners to conduct hearings when complaints are not filed.

He also, from the Committee on State Government, reported as amended Senate Bill No. 537, entitled:

An Act reinstating for the purpose of hearings members of the Pennsylvania State Police Force heretofore summarily dismissed.

He also, from the Committee on State Government, reported as committed Senate Bill No. 626, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," as last amended by the act approved the ninth day of June, one thousand nine hundred thirty-nine (P. L. 274), by adding a new paragraph (g) to authorize the investment of such funds in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

He also, from the Committee on State Government, reported as committed Senate Bill No. 650, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and

all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the investment of certain funds in the treasury of Pennsylvania; creating the Investment Council as a departmental administrative board within the Terasury Department; defining its powers and duties; and repealing a certain act.

He also, from the Committee on State Government, reported as committed House Bill No. 651, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisidiction on certain courts over rates," by providing for increase in member and change in term of members of Authority Boards.

He also, from the Committee on State Government, reported as committed Senate Bill No. 652, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land and building thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of Indiana State Teachers' College; and making an appropriation

He also, from the Committee on State Government, reported as committed Senate Bill No. 683, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 16.96 acres, more or less, of land situate partly in the Township of Bristol, Bucks County and partly in the Borough of Tullytown, Pennsylvania with the approval of the Governor.

He also, from the Committee on State Government, reported as committed Senate Bill No. 708, entitled:

An Act to amend section twelve hundred seven, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the duties and jurisdiction of the Board of Property to cases involving the title of land or interest therein brought by persons who claim an interest in the title to lands occupied or claimed by the Commonwealth.

He also, from the Committee on State Government, reported as committed Senate Bill No. 709, entitled:

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth, certain real estate adjoining Indiana State Teachers' College in the Borough of Indiana, Indiana County, Pennsylvania.

He also, from the Committee on State Government, reported as committed House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganizing of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

He also, from the Committee on State Government, reported as committed House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches, more or less, of land in Ephrata Township, Lancaster County, Pennsylvania with the approval of the Governor.

He also, from the Committee on State Government, reported as committed House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor.

He also, from the Committee on State Government, reported as committed House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1667), entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire all real and personal property included in the Conrad Weiser Memorial Park, in Heidelberg Township, Berks County, from the Conrad Weiser Memorial Park Association; providing for the control, management, supervision, restoration and improvement thereof by the Department of Forests and Waters; authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation therefor," by tranferring the control, management, supervision, restoration and improvement of said park, and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

He also, from the Committee on State Government, reported as committed House Bill No. 1086, entitled:

An Act to add section 1-A to the act, approved the fifteenth day of April, one thousand eight hundred seventy-three (P. L. 75), as amended, entitled "An act relating to the fees of the surveyor general" by requiring

all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

He also, from the Committee on State Government, reported as committed House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

He also, from the Committee on State Government, reported as committed House Bill No. 1300, entitled:

An Act to add section five to the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request

He also, from the Committee on State Government, reported as committed House Bill No. 1302, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day.

He also, from the Committee on State Government, reported as committed House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres, more or less, of land situate in Collier Township, Allegheny County, Pennsylvania, with the approval of the Governor.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President and Members of the Senate, on June 24, 1953, I made a statement on the floor of this Senate in which I said that there was an organized lobby trying to pass House Bills Nos. 573 and 574. They were successful last night in getting them passed on final passage.

Mr. President, I am informed from reliable authority that last night Mr. Harry Davis, representing the oil companies of Pennsylvania, held a victory dinner at the Penn-Harris Hotel. As we have said before on this floor, this legislation is for the benefit of the vested interests of Pennsylvania, and the oil companies are the chief beneficiaries. I want the public to know that.

While I am on the floor, Mr. President, I want to express my sincere appreciation to the Republican Members of the Senate who had the intestinal fortitude to stand up and face their convictions and vote against this legislation. I say to you, Mr. President, they are real statesmen and should be congratulated.

Mr. President, while I am here, I am calling upon the Governor of this great Commonwealth to take notice of thes remarks of mine and I ask him, in all sincerity, to veto this obnoxious legislation which was passed by this Senate last night.

RESOLUTION REFERRED TO COMMITTEE

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO STUDY THE PROBLEM OF SANITATION IN SUBURBAN COMMUNITIES

Mr. MILLER offered the following resolution which was twice read and referred to the Committee on State Government:

In the Senate, July 7, 1953.

Whereas, The increased number of housing developments in suburban and rural areas has superimposed problems upon these areas with which they are often unprepared to cope; and

Whereas, The laws governing these suurban and rural areas and the attitudes of the population therein are frequently attuned to life in sparsely settled rural areas rather than the dense population now burdening them and creating problems associated with the gathering of dense masses of people in small areas; and

Whereas, The problems of sewerage, sanitation and collection of refuse which require municipal guidance, control and action in order to safeguard the well-being and health of the populace often cannot be met by newly organized communities or by old communities newly saturated with population overflowing the borders of nearby cities; and

Whereas, Individual attempts at sewerage disposal such as septic tanks have frequently proved inadequate and inefficient and consequently the case of disease and discomfort; and

Whereas, Lack of garbage collection has caused the piling up and collection of refuse near human habitations and along public highways, in such a manner as to create eyesores, spread disease and to emit other manifestations of filth and uncleanliness so as to raise grave doubts about our much vaunted high standards of living; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study the problems of sanitation in the various suburban communities of this Comonwealth with particular stress on sewerage and collection of garbage and other refuse and the effects upon the population of the communities concerned; and be it further

Resolved, That the commission shall report its findings and recommendations to the next regular session of the General Assembly together with such proposed legislation as may be necessary to carry out the same.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 7, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 13, 1953 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, July 13, 1953 at 1:00 p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, a short time ago, Senator Lane said that a victory dinner was held last night, to which several Senators were invited and attended. This dinner, he said, was held by Mr. Davis, I believe.

Mr. President, as Senator Lane knows, and all the other Senators here know, we started in Session about five o'clock yesterday after noon and went right through until quite late. The only refreshment that I saw here was a sandwich or two that the fellows took time out to get. I had mine at my desk; I do not think that was much of a dinner. I do not believe there was anyone off the floor or outside the Capitol from the time we went into Session yesterday until we closed. I do not believe that Senator Lane would have any idea that any dinners were held at one-thirty this morning at any place.

MOTION TO EXPUNGE

Mr. MAHANY. Mr. President, I brand that statement as being unfounded and unwarranted and unjustified. I move that it be stricken from the record.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I am not entering into the subject matter of this discussion. I just want to remind the Members of this Senate that the statement made by Senator Lane was made under the remarks which are considered personal privilege.

Mr. President, in the history of this Senate, no remarks under "personal privilege can be expunged from the record. Whether they are right or wrong, that depends on the conscience of Senator Lane, himself. Any remarks that are made the question of personal privilege are a part of the record of this Senate. It is up to Senator Lane, himself, as to whether he believes that what he said was true or not, not the Members of this Senate.

Mr. WALKER. Mr. President, I do not for a minute deny to the gentleman from Washington the right to say anything that is on his mind under the question of personal privilege, but there are fifty Members of the Senate, including the gentleman from Washington, and I would not for a minute want the newspapers to gain the impression—I say this in defense of my good friend, Senator Barr—that he attended any victory dinner that may have been given by anybody at one-thirty this morning. I think that in fairness to Senator Barr, the record should be cleared as to whether or not Senator Barr was there.

Mr. President, the implication was that forty-nine of us attended the dinner, the victory dinner. I want to say to the gentleman from Washington, that I know of no dinner that was given, I was not invited, I did not attend and I feel kind of neglected and hurt that I was bypassed, if such an event took place. In defense of Senator Barr and myself, I think the record should be cleared.

Mr. DENT. Mr. President, Senator Walker knows full well that his remarks, if any ought to be expunged from the record his should be. He knows that Senator Lane was very clear in his remarks. He did not say that there were forty-nine Members of the Senate there. He said something about a victory dinner being held.

Mr. President, I think Senator Walker knows full well that whether it was a dinner, shindig or a jamboree or, as one man said, "A rose by any name still smells the same" whatver the occasion was, he knows full well that the Democrats would not have been invited if there were such an occasion. I do not believe that the mere play of words, or the trickery of using Senator Barr's name, would ever convince anybody that Senator Barr attended the dinner. Whether Senator Walker did or not, that is up to him. I do not care, personally, who attended it or who did not attend or anything about the matter.

Mr. President, I just stand on the personal privilege that a man may make the remarks under "personal privilege" into the records of this Senate.

Mr. LANE. Mr. President, in my remarks under "Petitions and Remonstrances," I made the statement that Harry Davis gave a victory dinner, or a party, after the Session last night in the Penn-Harris Hotel. I did not say that any Senators were there. I do not know. However, I do know that he held a dinner celebrating the fact that they passed this legislation.

Mr. President, if you want it under "Personal Privilege," I will put it there, if so required by the Chair.

The PRESIDENT. Will the Reporter please come for ward? The Chair would like to have the record read. There is a motion before the Chair, and the Chair desires to do what is fair under the circumstances.

(The Reporter complied.)

The PRESIDENT. The Chair feels that after hearing the notes of the Reporter of the Senate, there was nothing that violated the Rules of the Senate in the statement made by the Senator from Washington.

The Chair would like to repeat again what he tried to indicate last night. We, of course, have to be very jealous of trying to impinge the right, under the proper order of business, of any Member of the Senate to express himself freely, provided he does not malign or assail the character, by direction or expression, of any Member of the Senate or in any way malign a fellow Member of the Senate.

The Chair feels constrained to rule that the motion made by the Majority Floor Leader, and seconded by the gentleman from Allegheny, Mr. Walker, is not of order.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF MILK CONTROL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joab K. Mahood, Troy, Bradford County, for reappointment as a member of the Milk Control Commission, to serve until May 1, 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate S. Gerald Darlington, Speedwell Forge, R. D. No. 2, Lititz, Lancaster County, for appointment as Justice of the

Peace in and for the Township of Elizabeth, Lancaster County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

COMMUNICATIONS FROM GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 41, PRINTER'S No. 40

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 41, Printer's No. 40, entitled "A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled 'An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation' by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties' as heretofore amended and supplemented enlarging the jurisdiction and powers of said commission with respect to the acquisition construction administration operation and maintenance of port and terminal facilities the financing thereof and the fixing charging and collecting of tolls and other charges for the use of said port and terminal facilities authorizing the issuance of negotiable bonds and obligations of the commission providing for the designation of deputies to act for and in behalf of absent ex-officio members of said commission from Pennsylvania authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission and authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to such supplemental compact or agreement."

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PULIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on July 7, 1953.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Andrew Kushner, Pittsburgh, 2000 Westhall St. (33).
Raymond R. Miller, Castle Shannon, Pittsburgh (34).

BERKS COUNTY

William J. Boisson, Exeter Twp., Reading.

BUCKS COUNTY

Charles M. Fink, Tullytown, P. O. Levittown.

CHESTER COUNTY

Miss Mildred E. Aiken, Kennett Square.

LANCASTER COUNTY

Miss Mae S. Drake, Lancaster.

LEHIGH COUNTY

Mrs. Carol M. Nace, Allentown.

NORTHAMPTON COUNTY

Mrs. Gladys I. Quier, Bethlehem.

PHILADELPHIA COUNTY

Miss Mollie Peskin, 349 E. Albanus St. (20).
John J. Sweeney, 3121 Fanshawe St. (24).

PIKE COUNTY

J. Emerson Hamilton, Matamoras.

WESTMORELAND COUNTY

Frank E. Korzen, Donegal.

YORK COUNTY

Miss Jean L. Beyer, York.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOLFE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays wer taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles uere publicly read as follows:

House Bill No. 573, entitled:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation.

House Bill No. 574, entitled:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles G. Allan, R. D. No. 1, Box No. 479, Monaca, Beaver County, for appointment as Justice of the Peace in and for the Township of Potter, Beaver County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Duane E. Weidler, Meadville Road, Platea, Erie County, for appointment as Justice of the Peace in and for the Borough of Platea, Erie County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph D. Johnson, R. F. D. No. 4, Box No. 139, Erie, Erie County, for appointment as Justice of the Peace in and for the Township of Summit, Erie County, until the first Monday of January 1954, vice Frank A. Lennberg, Jr., resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Williams, 601 Charles Street, Houtzdale, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Houtzdale, Clearfield County, until the first Monday of January 1954, vice R. G. Reed, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Russell G. Clements, 1709 West Meetinghouse Road, Boothwyn, Delaware County, for appointment as Justice of the Peace in and for the Township of Upper Chichester, Delaware County, until the first Monday of January 1956, vice Robert J. Clements, deceased.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin J. Stroman, 1819 Forster Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the 15th Ward of the City of Harrisburg, Dauphin County, until the first Monday of January 1956, vice F. R. Laverty, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, EDINBORO STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm B. Mershon, 205 Lake Street, Girard, Erie County, for reappointment as a member of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold R. Humbert, 577 Reno Street, Rochester, Beaver County, for appointment as Justice of the Peace in and for the Borough of Rochester, Beaver County, until the first Monday of January 1954, vice William B. Brown, deceased.

JOHN S. FINE.

MEMBER OF STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Catherine E. Drumm, Educational Director, School of Nursing, Geisinger Memorial Hospital, Danville, Montour County, for appointment as a member of the State Board of Nurse Examiners, for the term of six years, and until her successor is appointed and qualified, vice Miss Edith D. Payne, Pittsburgh, resigned.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE GOVERNOR

TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call up from the table at this time a communication from His Excellency, the Governor of the Commonwealth of Pennsylvania, which was reported from committee at today's session, and ask that the Clerk read the communication:

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF MRS. SARAH K. EVANS

Commonwealth of Pennsylvania,
Governor's Office, Harrisisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 23, 1953, for the appointment of Mrs. Sarah K. Evans, Herminie, Westmoreland County, as Justice of the Peace in and for the Township of Sewickley, Westmoreland County, until the first Monday of January 1956, vice Adrian R. Newhouse, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

NOMINATION BY THE GOVERNOR

TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Mrs. Sarah K. Evans, which was reported at today's Session, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

JUSTICE OF THE PEACE

Commnowealth of Pennsylvania,
Governor's Office, Harrisburg, March 23 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sarah K. Evans, Herminie, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Sewickley, Westmoreland County, until the first Monday of January 1956, vice Adrian R. Newhouse, resigned.

JOHN S. FINE.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, before we proceed with today's Calendar, I should like to present to the Chair a report which I think is of considerable importance.

Mr. President, some time ago we had the findings of the Joint State Government Commission in their directed study of Highway Use and Costs. I presume that the Members of the Senate have paid considerable attention to that report, because it is very pertinent in connection with legislation pertaining to trucks and truck weights, particularly.

Now I have the honor, on behalf of the Joint State Government Commission, Mr. President, to send to the Chair a Technical Supplement to Highway Use and Highway Costs. Copies of this report have been delivered to the office of the President pro tempore of the Senate, and will be placed on the Members' desks shortly.

REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION TECHNICAL SUPPLEMENT "DEALING WITH HIGHWAY USE AND HIGHWAY COSTS"

Mr. WAGNER. Mr. President, I ask unanimous consent to make a report at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, on behalf of the Joint State Government Commission submitted the following report which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA

JOINT STATE GOVERNMENT COMMISSION OF THE GENERAL ASSEMBLY

P. O. BOX 61

ROOM 450—CAPITOL BUILDING

HARRISBURG

July 7, 1953.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith Technical Supplement to Report of the Joint State Government Commission, Session of 1953, dealing with Highway Use and Highway Costs, heretofore transmitted to the Senate of Pennsylvania.

Copies of this supplement for distribution to the members of the Senate have been delivered to the office of the President Pro Tempore of the Senate.

Respectfully submitted,

(Signed) BAKER ROYER, Chairman.

The PRESIDENT. The communication will be spread upon the Journal, and the report will be printed on full in the Appendix.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments go over in their order:

Senate Bill No. 199, Printer's No. 357, and

Senate Bill No. 359, Printer's No. 354.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 528, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions, and requiring approval of the Industrial Board in formulation of rules and regulations.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 528

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 528.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 204, as follows:

An Act to amend Section 2 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by giving juvenile courts jurisdiction during vacation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2 Jurisdiction of Juvenile Court Presiding Judge Except as hereinafter provided the several courts as defined in this act shall have and possess full and exclusive jurisdiciton in (a) all proceedings affecting delinquent neglected and dependent children and (b) of all cases of adults charged with contributing to or encouraging or tending to cause by any act of omission or commission the delinquency neglect or dependency of any child or charged with any act of omission or commission with respect to any child which act of omission or commission is a violation of any State law or ordinance of any city borough or township

The powers of the court for the purposes of this act may be exercised at anytime whether the court is in session or vacation by any one or more of the judges of such court who may be assigned for the purpose Such court when exercising the jurisdiction conferred by this act shall be known as the "juvenile court"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska	McCreesh,		

NAYS—0

A majority of all the Senator having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281, Printer's No. 336, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 296 as follows:

An Act to further amend Section 354 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulations supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws," by requiring approval of policies other than certain fire and marine policies issued by domestic mutual fire insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 354 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the inorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regualtion and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1100) is hereby further amended to read as follows

Section 354 Approval of Policies Contracts etc Prohibiting the Use Thereof Unless Approved Judicial Review Penalty It shall be unlawful for any insurance company association or exchange doing business in this Commonwealth to issue sell or dispose of any policy contract or certificate life health accident personal liability fire marine title and all forms of casualty insurance or contracts pertaining to pure indowments or annuities or any other contracts of insurance or use applications riders or endorsements in connection therewith until the forms of the same have been submitted to and formally approved by the Insurance Commissioner and copies in the Insurance Department except riders and endorsements relating to the manner of distribution of benefits and to the reservation of rights and benefits under any such policy and used at the request of the individual policy-holder and except any forms which in the opinion of the Insurance Commissioner do not require his approval

Forms so filed forms field under the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) or any amendments thereof or filed under any other section of this law shall be deemed ap-

proved at the expiration of thirty (30) days after filing unless earlier approved or disapproved by the Insurance Commissioner The Insurance Commissioner by written notice to the insurer may within such thirty-day period extend the period for approval or disapproval for an additional thirty (30) days

Such approval shall become void upon any subsequent notice of disapproval from the Insurance Commissioner or upon any subsequent withdrawal of license or refused of the Insurance Commissioner to relicense any such company association or exchange or upon the subsequent passave of an act which would no longer make such contracts or related forms a fit subject for approval except that this provision shall not affect contracts issued prior thereto

Upon any disapproval the Insurance Commissioner shall notify the insurer in writing specifying the reason for such disapproval and within thirty (30) days from the date of mailing of such notice to the insurer such insurer may make written application to the Insurance Commissioner for a hearing thereon and such hearing shall be held within thirty (30) days after receipt of such application The procedure before the Insurance Commissioner shall be in accordance with the adjudication procedure set forth in the "Administrative Agency Law" and the insurer shall be entitled to the judicial review as provided for in said law

[Any person corporation insurance company exchange order or society that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within the Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00)]

[This section shall not be construed as extending the provisions of this section to domestic mutual fire insurance companies] until the thirty-first day of March one thousand nine hundred fifty-four this section shall not apply to domestic fire insurance companies on and after the thirty-first day of March one thousand nine hundred fifty-four the provisions of this section shall apply to such companies except as to those insurance policies and endorsements issued by domestic mutual fire insurance companies for the purposes mentioned in subsection (b) of section two hundred two of this act and its amendments

Upon satisfactory evidence of the violation of this section by any such person corporation insurance company exchange order or society the Insurance Commissioner may in his discretion pursue any one or more of the following courses of action (1) Suspend or revoke the license of such offending person corporation insurance company exchange order or society (2) refuse for a period of not to exceed one year thereafter to issue a new license to such person corporation insurance company exchange order or society (3) impose a fine of not more than one thousand dollars ($1000.00) for each and every act in violation of this act When the Insurance Commissioner shall take action in any of the ways above recited the person corporation insurance company exchange order or society aggrieved may appeal therefrom to the court of common pleas of Dauphin County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Dietrm	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 404, as follows:

An Act to amend the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discip ine and employment of prisoners and the government and management of said jails or county prisons" by extending the provisions thereof to counties of the fifth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" is hereby amended to read as follows

An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third [and] fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons

Section 2 Sections 1 and 2 of the act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 809) are hereby reenacted and further amended to read as follows

Section 1 Be it enacted &c That the persons now holding the fol owing offices and their successors in all counties of this Commonwealth of the third [and] fourth and fifth classes shall compose a board to be known by the name and style of inspectors of the jail or county prisons to wit The judges of the court of quarter sessions the district attorney the sheriff the controller and the commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution sha l be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution

Section 2 That within thirty days after this act shall

become effective in any county the above-named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of the prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in the taking care of the prison The number and comparison of such deputies assistants or keepers shall be fixed by the salary board

Section 3 Sections 3 and 4 of the act are hereby reenacted to read as follows

Section 3 That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by voucher checks drawn in the mode now prescribed by law on the regular appropriation for the purpose but no check shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder

Section 4 That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board

Section 4 The act approved the tenth day of May one thousand nine hundred twenty-one (P. L. 470) entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class providing for a warden defining his powers and duties providing for other employes and salaries and describing the duties and powers of the county commissioners and the sheriff in connection therewith" is hereby repealed

Section 5 The provisions of this act become effective the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

On the question,

Sha'l the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 414, as follows:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide an adsectum judgment index and fixing the fees of the prothonotaries therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The prothonotaries of the several courts of common pleas may with the approval of the County Commissioners keep a separate index to be known as the adsectum judgment index in which shall be entered in alphabetical order the names of all persons in whose favor any judgment or judgments shall have been enterd or to whom any judgment or judgments previously entered have been assigned of record

Section 2 The prothonotaries are hereby authorized to collect as part of the costs for entering any judgment or assignment thereof a fee of twenty-five cents for indexing said judgment or assignments in the adsectum judgment index in addition to any fees which they are now authorized by law to collect

Section 3 The act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 614) entitled "An act requiring the prothonotaries of the several courts of common pleas of this Commonwealth to provide an adsectum judgment index and fixing the fees of the prothonotaries therefor" is hereby repealed

Section 4 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 443, Printer's No. 343, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the thir dreading and consideration of Senate Bill No. 485, as follows:

An Act to amend section seven hundred three of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for the forwarding of certain benefit checks to the Department of Public Assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred three of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" is hereby amended to read as follows

Section 703 No Assignment of Compensation Exemptions No assignment pledge or encumbrance of any right to compensation which is or may become due or payable under this act shall be valid and such rights to compensation shall be exempt from levy execution attachment or any other remedy whatsoever provided for the collection of debt Compensation payments received by an employe so long as they are not mingled with other funds of the employe shall be exempt from any remedy whatsoever for the collection of all debts except debts incurred for necessaries furnished to such individual or his spouse or dependents during the time when such individual was unemployed No waiver of any exemption provided for in this section shall be valid Provided however That upon receipt of notification the department shall forward to the Department of Public Assistance benefit checks equal to amount of public assistance paid to an individual for necessaries furnished such individual or his spouse or dependents during the time when such individual was unemployed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted „aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 500, Printer's No. 432, on third reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and conideration of House Bill No. 514, as follows:

An Act fixing the fees or costs to be charged by magistrates of Cities of the First Class and imposing liability therefor upon the county in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title Scope (a) This act shall be known and may be cited as the "Magistrates' Fee Bill of Cities of the First Class"

(b) After the effective date of this act the fees to be charged by magistrates shall be as fixed by this act

Section 2 Criminal Cases (a) The fees to be charged by magistrates in every criminal case except as hereinafter provided shall be as follows

(1) Summary conviction except motor vehicle cases	$2.50
(2) Summary conviction motor vehicle cases	2.50
(3) Misdemeanor	5.00
(4) Felony	2.50

(b) Such fees shall include all charges including when called for the costs of postage and registered mail and the costs of giving a transcript to the prosecutor or defendant or both is requested

Section 3 Civil Cases (a) The fees to be charged by magistrates in every civil case except as hereinafter provided shall be as follows

(1) Assumpsit or trespass involving $100 or less	$2.50
(2) Landlord and tenant proceeding	5.00
(3) Attachment in execution proceeding after judgment	5.00

(b) Such fees shall include all charges including when called for the costs relating to depositions and interrogatories and the costs of postage and registered mail except the costs of a transcript of every proceeding on appeal or certiorari (including affidavit bail and certificate) which shall be $1.00 per transcript

Section 4 Unclassified Fees or Charges The fees to be charged by magistrates in the following instances not readily classifiable shall be as follows

(1) Taking bail for a hearing or for appearance at quarter sessions each defendant	$1.00
(2) Taking bail fixed by another magistrate	

justice of the peace or alderman for a hearing or for appearance at quarter sessions each defendant 2.00
(3) Subpoena or subpoena duces tecum in criminal or civil cases ..... .50
(4) Entering transcript or judgment from another magistrate justice of the peace or alderman 1.00
(5) Every acknowledgment of deed or other instrument of writing first name ..... .75
Each additional name ..... .25
(6) Marrying each couple making record thereof and certificate to the parties 5.00
(7) Writing affidavits or affirmations 1.00
(8) The fees for services not herein specially provided shall be the same as for similar services

Section 5 Federal Cases The fees to be charged by magistrates for services under the laws of the United States shall be as follows

(1) For certificate of protection $1.00
(2) For certificate of lost protection ..... .75
(3) Warrant ..... .75
(4) Commitment ..... .75
(5) Summons for seamen in admiralty case hearing thereon 1.00
(6) For certificate to clerk of the district court to issue admiralty process ..... .75
(7) For affidavit of claims and copies thereof 1.25
(8) Affidavit of defense 1.25

Section 6 Repeals (a) The act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" is hereby repealed as to fees and costs of magistrates of cities of the first class

(b) All other acts or parts of acts general local or special are hereby repealed in so far as inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 571, as follows:

An Act to amend clause (2) of section 204 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the provisions relating to change of classification of school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (2) of section 204 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 204 Basis for and Change of Classification The last United States census as set forth in the official report thereof shall be the basis on which the population of the several school districts shall be computed A change from one class of school district to another shall be made in the following cases and in no other

* * * * *

(2) When a district which at a decennial census had sufficient population to entitle it to an advance to another class of district has since suffered a large decrease in population to entitle it to an advance to another class of district and has since increased in population a census of the district may be authorized by the board of school directors of the district and if it shall appear that said district has not the required population to remain in the class in which the same then is or if it shall appear that the district has sufficient population to entitle it to advance to another class of district the Superintendent of Public Instruction upon receipt of the facts disclosed by said census may issue his proclamation declaring such district to be of the class to which it properly belongs as disclosed by the census of the school board

And said bi l having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows: viz:

YEAS—50

Bane,	Hare	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent	Leader,	Propert,	Watson,
Diehm	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 590, Printer's No. 315,
Senate Bill No. 591, Printer's No. 310,

House Bill No. 612, Printer's No. 434, and
House Bill No. 613, Printers No. 435.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 692, as follows:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances return benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits to school employes resigning from school service to enter the armed forces of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any school employe of any school district who was regularly employed by one or more school districts or vocational school districts within this Commonwealth for any period prior to the time when such employe resigned from school service to enter the armed forces of the United States of America in time of war or during a state of national emergency so proclaimed by the President of the United States or by action of Congress prior to the first day of September one thousand nine hundred fifty-three and who upon discharge from military service was employed by any school district or vocational school district within this Commonwealth other than the district by which employed immediately prior to entrance into the armed forces of the United States shall be entitled to have full credit for each year or fraction thereof he spent in the armed forces of the United States upon his payment to the School Employes' Retirement Fund his total accumulated deductions in the amount they would have been had such employe remained in the service of a school district during the period he served in the armed forces of the United States together with an additional amount equivalent to the amount of employer contributions otherwise required for a period equal to the period of such military service Such back payments may either be paid in a lump sum or by such monthly payroll deductions as may be approved by the School Employes' Retirement Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 821, as follows:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" is hereby amended to read as follows

Section 1 All fines penalties and forfeitures collected by magistrates aldermen and justices of the peace in summary proceedings under the provisions of any general local or special law unless disposition thereof is therein otherwise specifically provided for or unless disposition thereof is provided for by general law shall be paid quarterly into the county treasury for the use of the county

If under existing law the Commonwealth is entitled to any such fines penalties or forfeitures the same shall be paid monthly into the State Treasury through the Department of Revenue If under existing law any political subdivision other than a county is entitled to any such fines penalties or forfeitures the same shall be paid [quarterly into the treasury of the county in which such political subdivision is located and shall within thirty (30) days thereafter be paid by the county treasurers] monthly to the treasurer of such political subdivision

All the aforesaid payments shall be accompanied by an affidavit of the magistrate alderman or justice of the peace giving the names addresses offenses charged amounts collected and the dates of the offenses

If the magistrates aldermen or justices of the peace fail or neglect to comply with the above requirements and provisions a penalty of six per cent (6%) interest is hereby imposed on the amount of money in the possession of said magistrates aldermen or justices of the peace until such time as payment is made

Section 2 All acts general local or special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,

Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1059, as follows:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" is hereby amended to read as follows

Section 1 It shall be lawful for any woman who has heretofore been or shall hereafter be divorced from the bonds of matrimony to retake and thereafter use her maiden name or her prior name Every such woman who elects to resume her maiden name or her prior name shall file a written notice avowing such intention in the office of the prothonotary of the court in which such decree of divorce was entered showing the caption and number and term of the proceeding in divorce and duly acknowledged before a notary public Where a divorced woman has a decree of divorce granted in a foreign jurisdiction a certified copy of such foreign divorce decree shall be filed with the prothonotary of the county where the affiant resides and thereafter such a woman desiring to resume either her maiden name or her prior name may file a written notice so to do by making full reference therein to the filing of the foreign divorce decree with the prothonotary of the county where the affiant resides A copy of the [instrument] written notice in either case so filed duly certified by the prothonotary shall be competent evidence for all purposes of the right and duty of such woman to use such maiden name or her prior name thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1184, as follows:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of service for policemen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1528) is hereby amended to read as follows

Article III

Department of Public Safety

Section 1 * * * * *

No [patrolman] policeman shall be required to be on duty for more than [eight] nine out of any twenty-four consecutive hours not for more than [forty-eight] forty-four hours in any calendar week and every policeman shall be allowed to have at least forty-eight consecutive hours off duty in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of riot conflagration or public celebrations and in such cases council shall provide for the payment of extra compensation or time off at the same rate as paid for regular service The existing salary or compensation of any [patrolman] policeman shall not be diminished because of the reduced number of hours of duty prescribed by this amendment

* * * * *

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed	Mallery,	Stevenson,	Yosko,
Haluska	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1208, as follows:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" is hereby amended to read as follows

Section 2 Payment of Summary Convictions Costs by County

(a) In every case of summary conviction in which the evidence is not sufficient to convict and the defendant is dismissed the costs or fees thereof shall be paid by the county if the prosecutor is a police officer engaged as such in the employ of this Commonwealth or of any of its political subdivisions In all other cases the costs shall be paid by the prosecutor or by the defendant if so permitted by law

(b) In every case of summary conviction in which the defendant is convicted and sentenced to jail in default of the payment of the fine and costs or fees imposed the costs or fees of prosecution shall be paid by the county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Dent,	Letzler,	Propert,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Fleming,	Mallery,	Snowden,	Wood,
Freed,	McCreesh,	Stevenson,	Yosko,
Haluska,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1209, as follows:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 1 and 2 of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" are hereby amended to read as follows

An Act

Prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen [unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof] in certain cases and imposing costs on private prosecutors

Section 1 Be it enacted &c That no county shall hereafter be liable for the payment of any costs in any prosecution brought before any magistrate alderman or justice of the peace against any person on the charge of having committed any crime when such charge shall upon examination at a preliminary hearing appear to be unfounded and shall be dismissed or discharged by such magistrate alderman or justice of the peace [and the costs thereof] (1) in cases other than felonies unless the prosecutor is a police officer engaged as such in the employ of the Commonwealth or any of its poltical subdivisions and (2) in all cases where the costs are properly directed to be paid by the county unless there shall be endorsed upon the transcript of such proceedings the names and specific addresses of the prosecutor the defendant or defendants and of all the witnesses who were called and sworn and who testified at such hearing or examination In all dismissed prosecutions other than for felonies where the prosecutor is not a police officer engaged as such in the employ of the Commonwealth or any of its political subdivisions the costs shall be placed on the prosecutor or on the defendant if so permitted by law

Section 2 It is unlawful for the county commissioners or the controller of any county to order authorize or approve the payment of any costs in any such proceedings unless the transcript thereof shall contain the name and specific address of the prosecutor the defendant or defendants and all witnesses as required by the preceding section of this act or in any dismissed prosecution other than for a felony unless the prosecutor is a police officer engaged as such in the employ of the Commonwealth or any of its political subdivisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,

Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Dent,	Letzler,	Propert,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Fleming,	Mallery,	Snowden,	Wood,
Freed	McCreesh,	Stevenson,	Yosko,
Haluska,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1351, as follows:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever a city of the second class adopts an ordinance pursuant to the provisions of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" and its amendments and a taxpayer is required to file a tax return and pay a tax imposed on the value of the annual gross business transacted by him such taxpayer's return shall not be examined nor shall an additional tax be imposed on such taxpayer on account of any ordinance rule or regulation which declares certain activities to be in a retail business classification and which were allowed by the taxing authorities to be included in the wholesale business classification in previous returns unless such ordinance rule or regulation is adopted prior to the date such return is required to be filed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1352, as follows:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and business therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" as reenacted and amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1238) is hereby further amended by adding after Section 8 thereof a new section to read as follows

Section 8.1 Review of Returns Reassessment of Taxes No tax return shall be reexamined nor an additional tax imposed on any taxpayer on account of any rule or regulation which declares certain activities to be included in the retail business classification and which were allowed by the taxing authorities to be included in the wholesale business classification in previous returns unless such rule or regulation is approved prior to the date such return is required to be filed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Bane,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,

Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 223, Printer's No. 307,
House Bill No. 317, Printer's No. 201,
Senate Bill No. 444, Printer's No. 344,
Senate Bill No. 463, Printer's No. 359,
Senate Bill No. 475, Printer's No. 345,
Senate Bill No. 576, Printer's No. 352, and
Senate Bill No. 682, Printer's No. 353.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 695, entitled:

An Act fixing the salary of jury commissioners in counties of the second class

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. FLEMING offered the following amendment:

Amend Sec. 2, page 1, lines 4 and 5, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading go over in their order:

House Bill No. 906, Printer's No. 318,
House Bill No. 1353, Printer's No. 339, and
House Bill No. 1440, Printer's No. 424.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres more or less of land situate in the city of Erie Erie County Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1505, entitled:

An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" by providing for compensation on a daily basis for certain emp'oyes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President and Members of the Senate, D-day comes for many people in many localities in our Commonwealth on July 31 which is the date of the expiration of the Federal Rent Control Act.

Mr. President, I introduced in the Senate, Senate Bill No. 200 on February 23. Shortly thereafter, the Committee on Local Government granted a public hearing on this bill. Approximately one week from that time, the Federal Government extended the Rent Control Act until July 31. It appears now that there will be no legislation coming forth in Washington, D. C. for stand-by rent control.

Senate Bill No. 200 simply provides, Mr. President, that any locality, by resolution of their commissioners of the township, or the council of the borough, or the council and the mayor in a third class city, or the council and the mayor in a second class A and first class cities can pass a rent control act.

Mr. President, this bill cannot get the proper support in the Committee on Local Government to be brought before the Senate for action, and, therefore, Mr. President, on behalf of Senator McMenamin and myself, I offer the following discharge resolution on Senate Bill No. 200.

RESOLUTION

TO DISCHARGE COMMITTEE ON LOCAL GOVERNMENT FROM FURTHER CONSIDERATION OF SENATE BILL No. 200

Mr. BARR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BARR and McMENAMIN offered the following resolution which was twice read, as follows:

In the Senate, July 7, 1953.

Resolved, That the Committee on Local Government is hereby discharged from further consideration of Senate Bill No. 200, entitled "An act relating to the regulations, control and stabilization of rents and possession of housing spaces and living accommodations by municipalities and townships," which was referred to the Committee on Local Government on February 23, 1953 and has not been acted on by said Committee.

RULE 39 SUSPENDED

Mr. BARR. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

MOTION TO ADOPT RESOLUTION

Mr. BARR. Mr. President, I move the immediate adoption of this resolution.

Mr. McMENAMIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, the Chairman of the Local Government Committee has brought to my attention the wording of this discharge resolution. I simply called the Legislative Reference Bureau and asked them to prepare for me a discharge resolution on Senate Bill No. 200. Said resolution concludes with these words:

"Which was referred to the Committee on Local Government on February 23, 1953 and has not been acted on by said Committee."

Mr. President, I thought that I had made myself clear when saying that we had a public hearing on this bill. The bill was acted upon by the Committee, and the disposal of the bill was simply this. The motion was to lay the bill on the table indefinitely. That, to me, is the same as no action by the committee. I hope that I have made myself clear, and I press for a roll call vote on the discharge resolution.

Mr. FREED. Mr. President, since we have mentioned some things which happened in committee, let me say that the Senator from Allegheny agreed to put it on that particular order of business, just so long as he could be quoted as saying that he voted "no."

Mr. McMENAMIN. If I may, Mr. President, I would like to have just a minute to speak in support of this resolution, so that the Senate as a whole will have an opportunity to provide some form of rent control. As has been explained, the Federal rent controls expire at the end of this month. I think we can be safe in saying that as of the first of August, thousands of Pennsylvanians face an increase in their rent.

Mr. President, during the Federal rent control period, no doubt, there were some inequities in the application of rent control. Like most things in this life, there are two sides to every story, and perhaps there were some landlords who took advantage of their tenants, and some tenants who took advantage of their landlords. However, I think that we should try to legislate for the greatest good of the greatest number.

Mr. President, I think that, at least, as a compromise, if we cannot do anything better, this bill would allow each community on a local basis to set up some form of rent control. It seems to me that it is going to be a shock and an overnight maladjustment if all rent controls are lifted at the end of this month.

Mr. President, I think that the least we can do is to give each local community the option to vote for controls as it sees fit, and that is what this bill would do. I think that this would be in the interest of the greatest number of people in Pennsylvania.

Mr. MAHANY. Mr. President, it is always refreshing to see these discharge resolutions coming in, because you can sort of sight the end of the Session and adjournment sine die. It is something akin to the sailor who has sailed over the broad expanse of the sea without seeing life of any kind whatsoever in the sky, and then he sees the sea gull as he approaches the shore.

Mr. President, the Senator, I see, was quoted in the paper as saying that he was going to present this resolution, but that he knew it would be voted down because we never do vote in favor of discharge resolutions.

The Senator well knows, Mr. President, over the past history of this legislative body, that we have tried to keep the business of the Senate in regular order and in regular procedure. These committees do the work of looking over the bills, and it is within their province as to whether they report them out or not. We have never discharged a committee from the consideration of a bill, regardless of whether the Democrats were in control or the Republicans were in control.

Mr. President, I do not want to disappoint Senator Barr. I know he feels that this resolution of his is going to be defeated, and I am going to help carry out that prediction and ask my colleagues to vote "no."

Mr. MALLERY. Mr. President, I wish to read a short letter on the letterhead of the Brotherhood of Railroad Trainmen's Home Association, of Lodge No. 174, B. of R. T. Building, 1017 Eighth Avenue, Altoona, Pennsylvania, which letter states as follows:

"BROTHERHOOD OF RAILROAD TRAINMEN'S HOME ASSOCIATION" OF LODGE No. 174

"B. OF R. T. BLDG., 1017 EIGHTH AVENUE

"ALTOONA, PA.

"April 1, 1953
"225—6 Avenue
"Altoona, Penna.

"Senator Charles R. Mallery
"509 Allegheny St.
"Hollidaysburg, Penna.

"Dear Senator Mallery:

"We, the undersigned, wish to state our position as to the proposed Legislative Bill on State Rent Control. We, as property controllers and owners, are opposed to a continuation or proposed legislative action to advance con-

trol! We have been hamstrung so to speak for long enough to the extent that our property has deteriorated and depreciated while our valuation has remained the same with the resulting tax load beyond the revenues. We have reached the point of no return without some glimmer of future relief to help carry the repairs and repairs alone without any considered remodeling to existing property.

"Therefore we take this opportunity to express our thoughts and desires that you as our representative will with all the power at your command suppress any legislation pending or proposed.

"Sincerely your,

"Signed by
"BOARD OF DIRECTORS

"C. S. Gensamer
"C. M. Ermin
"C. B. Crumm
"W. L. Dodson
"L. S. Steele
"G .O. McMinn
"G. T. Wyhere"

And the question recurring,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Blair, Senator Mallery.

The PRESIDENT. Will the gentleman from Blair, Mr. Mallery, permit himself to be interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. HOLLAND. Will you be kind enough to read that letterhead, the name of that company or association or brotherhood?

Mr. MALLERY. The Brotherhood of Railroad Trainmen's Home Association, of Lodge No. 174.

Mr. HOLLAND. Will Senator Mallery further permit himself to be interrogated, Mr. President?

The PRESIDENT. Will the gentleman permit himself to be further interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. HOLLAND. Is that a Building and Loan Association, Senator?

Mr. MALLERY. No, it is not.

Mr. HOLLAND. What type of association is it, Senator?

Mr. MALLERY. The buildinig was constructed, Senator, and is operated and owned by members of the Brotherhood of Railroad Trainmen.

Mr. HOLLAND. Mr. President, I am a little bit confused on who he is speaking for, because the representative of the Brotherhood of Railroad Trainmen is in the House right now, was in the Senate a moment ago, and appeared before the committee, asking for the continuation of rent controls. I do not want the gentleman from Blair to think that I am saying this to him, but to me i sounds like a phony organization.

Mr. MALLERY. Well, it definitely is not phony; I can assure the Senator of that.

Mr. HOLLAND. Mr. President, the Brotherhood of Railroad Trainmen went on record, among all their unions throughout the State, for the continuation of rent controls. They not only appeared at the Harrisburg hearing, but they appeared at the National hearing, asking for the extension of rent controls.

Mr. President, one of the reasons why the bill, which has been introduced by Senator Barr, was introduced, was because of the fact that a survey was made on the part of a number of our people in Pittsburgh. We went to the trouble of calling on all of the members of the Real Estate Board of the city of Pittsburgh, and this was the question which we asked each one of them. "Have you any vacancies at $70 a month or under? Prospective tenant has two children of grade school age. Interested in any section of the city of Pittsburgh."

Mr. President, altogether there were fifty-eight members of the sixty-five members of the Pittsburgh Real Estate Board contacted. For instance, we called A. J. Aberman first. He said he had nothing. The Allegheny Real Estate said they had four rooms on the third floor, no private bath, and this was the only piece of property which they had for rent but they did not recommend it. George A. Alsop, J. H. Aronson, Barone and Lind, Born, Breen—I think the gentlemen from Pittsburgh, Senator Walker, Senator Kopriver and Senator Fleming, all recognize these names—the Commonwealth Real Estate, all were contacted and practically every one of them said they had nothing for rent.

Mr. President, at the end of my talk I wish to present this record to be printed in full.

Mr. President, to say that there is an abundance of homes for rent is absoluely a falsehood. When there are no extra homes and homes cannot be rented, then naturally when the lid is lifted there will immediately be a big increase in rents in the city of Pittsburgh. I feel that this only gives the right to the elected officials of the boroughs the townships and the cities to set up rent controls, if the people who were elected by that community see the necessity of rent controls. This is home rule, which I have heard the Republicans talk so much about, at its best. We are giving the people nearest to the problem the opportunity to decide whether or not there shall be rent controls.

Mr. President, the passage of this bill merely sets up the machinery to give the local communities the right to establish rent controls if necessary.

Therefore, Mr. President, I sincerely hope that our good friend, the Majority Leader, does not take this as he stated; that is always a rule to give the members of this Senate the chance to hide behind the pickling of a bill in committee.

Mr. President, if you vote to discharge this committee and to consider this bill, you are in favor of giving protection in the communities where homes are not plentiful, where they are scarce. If you vote against it, you are voting again for the big real estate lobbies which exist both here in Harrisburg and in Washington. This is a vote by which you express whether or not you have the intestinal fortitude to stand up and be counted.

Mr. Praesident, I now ask that this "Exhibit of Rental Request" be inserted into the record.

STEEL CITY INDUSTRIAL COUNCIL CIO

Exhibit of Rental Request

Made to: Members of Pittsburgh Real Estate Board

Question Asked:

Have you any vacancies at $70.00 a month or under? Propective tenant has two children of grade school age. Interested in any section of the City of Pittsburgh.

Company	Answer
1. A. J. Aberman	Nothing
2. Allegheny Real Estate	4 rooms—3rd floor no private bath not recommended
3. George A. Alsop	Nothing
4. J. H. Aronson	Nothing

Company	Answer
5. Barone & Lind	Nothing
6. Clifford Bauer	Nothing
7. Benson and Sons	Nothing
8. B. W. Berman	Nothing
9. Born	Nothing
10. Breen	Nothing
11. Breckell	Nothing
12. Christo	Commercial only
13. Clinton	Nothing
14. Commerce Realty Co.	$65.00—4½ rooms—plus utilities
15. Commonwealth Real Estate	Nothing
16. Degenhardt	Nothing
17. De Simone	$70.00—2nd floor—plus utilities
18. Enright Realty	Nothing
19. Fidelis Realty	Nothing
20. Finance Realty	Nothing
21. Flocos Real Estate	Nothing
22. W. D. George	Nothing
23. Gestrick, R. W.	Nothing
24. Gilson	Nothing
25. Hahn and Skyrmes	Nothing
26. Hamilton & Quinn	Nothing
27. Huss Brothers	Nothing
28. Leonard P. Kane	Nothing
29. S. Lee Kann	Nothing
30. Kelly-Wood	Nothing
31. Kessler, Philip	Nothing
32. Lando Realty	Nothing
33. Lapiduss	Nothing
34. Lawler & Co.	Nothing
35. Lusk, H. G. Co.	6 rooms—$60.00 plus utilities
36. Earl Miller	Nothing
37. Havarro, V. E.	Nothing
38. N. S. Real Estate	Nothing
39. North View Real Estate	Nothing
40. People First National Bank	Nothing
41. Petraittis	Nothing
42. Pinkerton	Nothing
43. Plunkett	Nothing
44. Porter & McDowell	Nothing
45. Potter Bank & Trust	Nothing
46. Rovick, Edw.	Nothing
47. Schmidt	Nothing
48. Scott & McCune	Nothing
49. Serferth	Nothing
50. Shapero, Leo B.	Nothing
51. Shoup, W. R.	Nothing
52. Smith, Paul	Nothing
53. Union Real Estate	Nothing
54. United States Realty	Nothing
55. Velsach-Martin	Nothing
56. West Realty Co.	Nothing
57. Westbrook Real Estate	Nothing
58. Wolford Realty Co.	Nothing

Note: 65 companies in all were contacted, but responsible agents were not available in 7 companies, so they are not included in this survey.

And the question recurring,

Will the Senate agree to the motion?

Mr. YOSKO. Mr. President, the distinguished Majority Floor Leader said that under our system here in the Senate, bills are considered and disposed of in Senate Committee. I agree with that statement. However, Mr. President, when a bill which is before a committee is subjected to a public hearing, as this bill was subjected to, then the results of that public hearing ought to govern the decision of the committee members.

Mr. President, this bill, as I said before, was subjected to a public hearing. We had representatives of the real estate groups, as well as the labor groups, at this hearing to give testimony The testimony presented by the real estate groups—incidentally, I am in the real estate business—was in the form of a series of advertisements, proposing to indicate that a sufficient number of homes were available in the Pittsburgh area to take care of those who might be in need of housing. However, on rebuttal, those who represented the labor unions, at least to my satisfaction, refuted the testimony presented by the real estate groups to indicate that the housing that was available in the Pittsburgh area was not of the type, was not of the caliber, was not within the range, to take care of the ordinary class and type of people who work in the mills and the factories.

Mr. President, since they were the only groups that appeared at the hearing, I, again, maintained that the preponderance of the evidence was in favor of continuing rent controls on an option basis; that is, permit those municipalities that see fit, and who have a housing shortage, to continue rent control.

Mr. President, I happen to come from what has been determined a critical defense area, as well as a critical housing area. Although thousands of homes have been constructed in the area in which I live, being in the real estate business I can say to you honestly and sincerely that there is no housing available for rental purposes in the area in which I live to take care of the great demand.

Mr. President, I will agree that landlords have been, perhaps, dealt with unfairly to some extent, relative to charges for rentals and a fair return on their investments. However, this could be adjusted even with the continuation of rent control if a proper rent control committee were established in those areas where rent control was needed and should be continued.

I think it would be wise, therefore, Mr. President and Members of this Senate, if we would authorize rent control on a local option basis to prevent chaos in those areas where there is a housing shortage.

For the reasons stated, Mr. President, I must vote for this motion.

And the question recurring,

Will the Senate agree to the motion?

Mr. BARR. I ask for a roll call, Mr. President.

Mr. HOLLAND. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. KOPRIVER, JR. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were required by Mr. BARR and Mr. HOLLAND and were as follows, viz:

YEAS—15

Bane,	Haluska,	McCreesh,	Toole,
Barr,	Holland,	McGinnis,	Weiner,
Camiel,	Lane,	McMenamin,	Yosko,
Dent,	Leader,	Silvert,	

NAYS—25

Berger,	Kopriver, Jr.	McPherson, Jr.	Wagner,
Crowe,	Letzler,	Peelor,	Walker,
Diehm,	Madigan,	Propert,	Watkins,
Fleming,	Mahany,	Snowden,	Watson,
Freed,	Mallery,	Stevenson,	Wolfe,
Hare,	McCusker,	Taylor,	Wood,
Kessler,			

So the question was determined in the negative.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act to amend section 2 of the act, approved the first day of April, one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges, with loads of excessive weight; and inflicting penalties," by providing for payment of costs of prosecution, for imprisonment in default of payments of fines and costs, and for the disposition of fines, penalties and forfeitures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act authorizing the Delaware River Joint Toll Bridge Commission with approval of the Secretary of Highways, to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purposes of the Commission; and providing for the disposition of proceeds thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 118, entitled:

An Act to further amend Section 612 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for reunds," by further regulating the weight of tractors on bridges; changing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 226, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the reassessment of certain property in townships of the first class in certain cases and imposing liability for township taxes upon the owners thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act to further amend Section 1 of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by designating employes of the county planning commission as county employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act to further amend Section 31 of the act approved the twenty-ninth day of March, one thousand eight hundred three (P. L. 542), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," by permitting the Commissioners to conduct hearings when complaints are not filed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act to amend section 911 of the act approved the first day of June on thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 382, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and chagig the law relating thereto" by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 392, entitled:

An Act to further amend subsection (a) of section 805 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicyces, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue. the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners. counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the provisions relating to lighting equipment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 430, entitled:

An Act to add Section 1035 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liesn encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the depositing of foreign material on highways and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 482, entitled:

An Act to further amend subsection (j) and the penalty clause of section 620 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) enttled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making it a crime to commit a fraud regarding any form or application filed with the Department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 585, entitled:

An Act to further amend subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedstrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners

counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the possession of certain certificates of inspection and approval.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 605, entitled:

An Act to amend the title, section two and subsection (c) of section four of the act, approved the twenty-seventh day of September, one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System, at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable, to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York, between the Susquehanna and Delaware Rivers, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission, including tolls, or from such funds as may be available to the Commission for that purpose, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from txation: constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds." by providing for the construction, operation and maintenance of central connection extensions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," as last amended by the act approved the ninth day of June, one thousand nine hundred thirty-nine (P. L. 274), by adding a new paragraph (g) to authorize the investment of such funds in bonds, notes or other obligations issued assumed or guaranteed by International Bank of Reconstruction and Development.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 626, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townsships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties imposing certain costs on counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds." by further regulating the length of tractors and combinations of vehicles; further limiting where informations charging violations of summary provisions of said act may be brought.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 650, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the investment of certain funds in the treasury of Pennsylvania creating the Investment Council as a departmental administrative board within the Treasury Department; defining its powers and duties; and repealing a certain act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to

borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for increase in number and change in term of members of Authority boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 652, entitled:

An Act Authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land and building thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of Indiana State Teachers' College; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 683, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 16.96 acres, more or less, of land situate partly in the Township of Bristol, Bucks County and partly in the Borough of Tullytown, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 704, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing provisions concerning notice to owners of property in regard to assessments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill 708, entitled:

An Act to amend section twelve hundred seven, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the duties and jurisdiction of the Board of Property to cases involving the title of land or interest therein brought by persons who claim an interest in the title to lands occupied or claimed by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 709, entitled:

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth, certain real estate adjoining Indiana State Teachers' College in the Borough of Indiana, Indiana County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and

of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata Township Lancaster County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglary and requiring the county to pay the cost of such insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 883, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1021, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgsses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicls and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be

transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1300, entitled:

An Act to add section five of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out provisions of the act are made from the General Fund upon proper budgetary request.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1302, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1336, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further defining the manner of making assessments and regulating appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act to amend subsections B and C of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring members to serve without compensation and the treasurer to post a bond.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1420, entitled:

An Act to amend Section 6 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1633), entitled "An act providing and regulating State assistance for housing, including slum clearance and redevelopment; and making an appropriation," by changing limitation as to tenant admissions in urban redevelopment projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1421, entitled:

An Act to amend Section 12 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in

contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by providing for the admission of certain evidence before the board of view or the court of common pleas.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for one hour, for the purpose of awaiting communications from the House.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

The PRESIDENT pro tempore of the Senate has appointed me to act as Presiding Officer.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, July 8, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:12 o'clock p. m., Eastern Standard Time, until Wednesday, July 8, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, July 7, 1953.

The House met at 12:00 o'clock noon EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, the fountain of all wisdom, guide and direct, we beseech Thee, the mind and heart of Thy servant who is called to exercise the responsibility of Governor of the State of Pennsylvania. Grant that he promote Thy will among men, the temporal and spiritual welfare of our state and the peace of the world. And to those who are chosen to represent the people in the Assembly give a right judgment, the spirit of courage and discretion and true godliness, to the advancement of Thy Kingdom and the benefit of our people. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, July 6, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Monday, July 6, 1953 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. GLICK. HOUSE BILL No. 1555.

An act granting public employes a one-hour lunch period, without deduction in salary or wages or increase in working hours.

Referred to the Committee on State Government.

By Mr. VAUGHAN. HODSE BILL No. 1556.

An Act to add Section 12.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by providing for annuity payments to beneficiaries in addition to pension payments upon contribution by the beneficiaries.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. VAUGHAN. HOUSE BILL No. 1557.

An Act to add Section 14.1 to the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said funds; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of ths act," by providing for annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. DUNN. HOUSE BILL No. 1558.

An Act to amend subsection 4 of Section 11 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing the payment of survivor benefits to qualified dependents in lieu of payment of accumulated deductions in the event of the death of a contributor before retirement.

Referred to the Committee on Appropriations.

By Mr DUNN. HOUSE BILL No. 1559.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by changing the provisions relating to emergency sidewalk repairs.

Referred to the Committee on Boroughs.

By Mr. TOMPKINS. HOUSE BILL No. 1560.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by providing for the formation, amendment of the articles of incorporation and dissolution in certain cases of domestic nonprofit corporations upon application to and approval of the Department of State; removing the original jurisdiction and duties of the courts of common pleas over such formation, amendment and merger; providing that advertising of the formation of domestic nonprofit corporations may take place either before or after such formation; providing that the by-laws of non-profit corporations may authorize the board of directors to fix the place of meetings of members at any place within or without this Commonwealth; and authorizing the Secretary of the Commonwealth to receive service of process on behalf of foreign nonprofit corporations issued by any court of the United States.

Referred to the Committee on Judiciary.

By Messrs. STONE, WILLIAM B. SMITH and ROBERT K. HAMILTON. HOUSE BILL No. 1561.

An Act to further amend Section 2805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by further providing for the maintenance of burial grounds and their conversion into memorial parks.

Referred to the Committee on Boroughs.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DAVIS, KROMER and VARNER.
RESOLUTION No. 72.

In the House of Representatives, July 6, 1953.

Whereas, The Clarion River watershed furnishes a large area of western Pennsylvania with its water supply; and

Whereas, Many citizens and groups are interested in the abatement of pollution of the Clarion River from both a recreational as well as a health standpoint; and

Whereas, Programs clearing the streams have been initiated and are in the process of being carried out; and

Whereas, The waters of the Clarion River are still being discolored due to pollution; therefore be it

Resolved, That the Sepaker of the House of Representatives appoint a committee composed of five members of the House of Representatives, whose duty shall be to study and investigate stream pollution in the Clarion River watershed, the programs that have been initiated and progress made in pollution abatement, whether the programs are adequate to actually abate stream pollution, and to report its findings and recommendations to the House of Representatives at the next regular session of the General Assembly.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 573.

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

HOUSE BILL No. 574.

An Act to amend Section 201 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by further defining real estate to be valued and assessed for taxation.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 573.

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled 'An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws' by further defining real estate to be valued and assessed for taxation

HOUSE BILL No. 574.

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assitant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 480.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Ide for Mr. PEIFLY, for today's session.

REPORTS FROM COMMITTEES

Mr. GOODLING from the Committee on Liquor Control, reported as committed, House Bill No. 170, entitled:

An Act to amend subsection (e) of Section 410 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by permitting licensed importers to import, purchase, sell and store liquor and alcohol in the Commonwealth.

Mr. RUBIN from the Committee on Judiciary, reported as committed, House Bill No. 864, entitled:

An Act to amend Section 403 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising, changing and consolidating the law relating thereto," by clarifying provisions relating to exemption from execution of certain property by landlord for nonpayment of rent.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 1290, entitled:

An Act to further amend section 706 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the state government; providing for the settlement, assessment, collection, and liens of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the state government, and every political subdivision of the state, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collet taxes, or to make returns or reports under the laws imposing taxes for state purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every state depository and every debtor or creditor of the Commonwealth," by clarifying the provisions thereof relating to the filing of bonus reports and the payment of bonus by foreign corporations, limited partnerships and joint-stock associations, and by providing for the filing of excise tax reports and the payment of such tax by foreign corporations, limited partnerships and joint-stock associations.

Mr. RAGOT, from the Committee on Fisheries, reported as amended, House Bill No. 1306, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing issuance of resident fishing licenses to certain residents who intend to become naturalized.

Mr. PAUL F. JONES, from the Committee on Judiciary, reported as committed, House Bill No. 1321, entitled:

An Act to amend the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by transferring to the juvenile courts, powers and duties relating to parolees of the Pennsylvania Training School at Morganza.

Mr. PAUL F. JONES, from the Committee on Judiciary, reported as committed, House Bill No. 1322, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the County of Allegheny for control, care, guidance, treatment, trial placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by transferring to the juvenile court powers and duties relating to parolees of the Pennsylvania Training School at Morganza.

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 1453, entitled:

An Act to further amend subdivision five of the compact contained in the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," so as to permit, on portions of said lake, the operation of motor boats at limited speeds.

Mr. HOCKER from the Committee on Liquor Control, reported as committed, House Bill No. 1486, entitled:

An Act to further amend clause (b) of Section 207 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relat-

ing to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by fixing the minimum prices of wines.

Mr. THOMAS H. W. JONES from the Committee on State Government, reported as committed, House Bill No. 1510, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 0.1959 acres, more or less, of land in the township of Limerick, Montgomery County, Pennsylvania, with the approval of the Governor.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

Mr. GEORGE E. JONES from the Committee on State Government, reported as committed, Senate Bill No. 236, entitled:

An Act designating certain banking institutions as additional loan and transfer agents of the Commonwealth and conferring powers and imposing duties upon such institutions and certain State officers with respect thereto.

Mr. GEORGE E. JONES from the Committee on Fisheries, reported as committed, Senate Bill No. 360, entitled:

An Act to further amend section two hundred forty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for additional complimentary fishing licenses.

Mr. THOMAS H. W. JONES from the Committee on State Government, reported as committed, Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

Mr. LIPPINCOTT from the Committee on Judiciary, reported as committed, Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal in any court of record in this Commonwealth to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

Mr. TOMPKINS, from the Committee on State Government, reported as committed Senate Bill No. 669, entitled:

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or any organized subdivision thereof."

Mr. TOMPKINS, from the Committee on State Government, reported as committed, Senate Bill No. 670, entitled:

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

Mr. TOMPKINS, from the Committee on State Government, reported as committed, Senate Bill No. 671, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 672, entitled:

An Act to repeal section six of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners

under sentence of law, to some other prison, pentitentiary, workhouse, house of correction, or other institution for adult prisoners," by eliminating transfers to the Central State Penitentiary at Rockview.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven, nine hundred twelve, nine hundred thirteen, nine hundred fourteen and nine hundred fifteen to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain powers of the Department of Welfare to the Department of Justice and imposing certain duties upon the Department of Justice.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions, and repealing certain acts or parts of acts.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees; abolishing certain penal institutions; imposing duties upon the Commissioner of Correction of the Department of Justice; and providing for the costs of transportation and maintenance of inmates.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice, correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiaries. and persons therein or responsible therefor applicable in the case of the said institutions.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act, approved the twenty-fourth day of March, one thousand nine hundred twenty-one (P. L. 48), entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary, and from the Western Penitentiary to the Eastern Penitentiary, and their imprisonment in the penitentiary to which transferred; imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted; directing that certain notice of such transfer of a convict be given; and making appropriations," by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by designating the Department of Justice for the Department of Welfare.

ANNOUNCEMENT

The SPEAKER. The Chair is happy to inform the Members that one of our Members from Fulton County, Mr. Kerlin, was married last Friday. Today we have him and his bride in the House.

The Chair would ask the gentleman from Fulton, Mr. Kerlin, if he will be kind enough to introduce to the Members of the House his very gracious and beautiful bride.

Mr. KERLIN. Mr. Speaker, I would like to thank the Speaker and present to the Members of the House my wife who answers to the name of Elizabeth.

The SPEAKER. The Chair congratulates the gentleman.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

TECHNICAL SUPPLEMENT TO HIGHWAY USE AND HIGHWAY COSTS

Mr. ROYER presented a communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

July 7, 1953.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith Technical Supplement to Report of the Joint State Government Commission, Session of 1953, dealing with Highway Use and Highway Costs, heretofore transmitted to the House of Representatives.

Copies of this supplement for distribution to the members of the House of Representatives have been delivered to the office of the Chief Clerk of the House.

Respectfully submitted,

BAKER ROYER

BR: lrw BAKER ROYER, Chairman.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, perhaps, but I cannot be sure, it may be possible to avert a major catastrophe. I hold in my hand a clipping which concludes as follows:

> The situation at Harrisburg is a disgrace to the Commonwealth. There is no leadership, no courage, no will to do what should be done and get it over with. Time was in this state when a legislature as inept as the one now in session would excite the burghers to engage in a hanging bee.
>
> All right, folks, come to Harrisburg and bring your ropes along!"

Now it happens that I see in our midst, at least upon the outskirts of our midst, the distinguished commentator who would incite the burghers to this unholy insurrection. He is none other than the distinguished John M. Cummings. And I plead with him, even though he may have his minions with their ropes down in the basement, to delay his bloody and unholy onslaught until at least I have finished this address.

Mr. Speaker, insofar as we have been delayed I shall endeavor to cut the Gordian knot and the period of frustration that has so long enslaved us.

Ever since the talk of cooperation between the major parties, the majority party and the minority party began, as Minority Leader I have always had fifteen votes with which to cooperate. The majority party is perhaps—and I say perhaps— entitled to fifteen rebels on a tax measure even though, as has been pointed out on the floor of this House, it frequently happens on matters of major party concern that the majority party is able to muster 105 votes on its own steam.

It has been my good fortune as Minority Leader that eighteen members of the minority caucus have from time to time, not in the midst of a caucus melee, but from time to time come to me and said, "Hi, if you need us, if there is something that you believe is of party interest, we will go down the line with you."

I figured that with eighteen pledges of that kind it was safe to say that we could cooperate with the majority to the extent of fifteen votes. And I want to say that I am profoundly moved that after forty years on this Hill off and on, as a reporter, as an editor, as a cub legislator, as Minority Floor Leader, that there are eighteen men—eighteen men—who say to me, "Hi, if you need us, you can depend on us." And those fifteen votes to cooperate on a tax program were not bunk; they were real men who would have stood up and taken the bumps.

I want to thank those eighteen. They know whom I am thanking. And I am now announcing to the Members of this House and to all who may care to listen—to all of those who pledged their support on the minority side in connection with tax legislation, that as far as I am concerned they are released unconditionally from their commitment.

One of the reasons they are released, though perhaps not the compelling reason, is that following each conference, with spokesmen presumably representing the majority party sentiment, various Republican leaders of stature, not the Speaker of this House, not the Majority Leader of this House, but persons more nearly associated with Senatorial togas, whispered it around that they did no want the taxes that were being proposed; that they did not favor the taxes that were being submitted to the Republican caucus; that those taxes were only trotted out because those were the only taxes that the Democrats would agree to give any measure of support.

Thus the representation was made that the majority party was going along with the minority; that the minority was calling the shots; that the minority was in effect assuming party responsibility for the formulation of a tax program.

That sort of thing is not playing the game on the level. In all our conferences with majority party leaders we have played the game on the square. The majority party leaders have always known exactly where we stood, and we are prepared to honor every commitment made. We never at any time were committed further than to endeavor to obtain the support of 15 Members of the minority for a tax program to which the majority party as a party was committed. I repeat we could have honored that commitment at any time.

But we wound up in this position. We were asked to support, and by proper inference, were bound to support to the extent of fifteen Members, measures for which the majority party in its own caucus could not muster forty-five votes. We were even asked to support taxes for which the majority party in its own caucus could not muster thirty votes.

Now this sort of situation is not a reasonable situation. Outside of the uncontrollable rebels in the ranks of the Republican party—and your voting record shows that you cannot possibly have more than fifteen irreconcilables, it was your business and your duty if you expect minority party suport to come up with ninety votes.

I want to repeat for the purpose of emphasis some of the things that I intended to say yesterday. The representation has been made that the Commonwealth of Pennsylvania faces a financial crisis. It does not face a financial crisis. It has not at any time faced a financial crisis, but it has faced and is facing a continuing political crisis. I will have something to say about that a little later.

It is not true that the Commonwealth of Pennsylvania is financially destitute, that there is not any money in sight for the hospitals and the schools and the mental institutions; that there is not any money with which to pay deserving state employes a too long deferred increase in salaries.

The Commonwealth of Pennsylvania through its General Assembly is confronted with a $1,400 million budget and by simply maintaining our existing tax structure we

will have gone nine-tenths of the way in financing that budget. We will have done nine-tenths of our job.

I have in the past proposed and I again propose that we proceed to finance adequately, generously the Commonwealth's needs during the first year of the current biennium. I propose that we make prudent but generous provision for our hospitals; prudent but generous provision for our schools, for our state institutions, for all our essential services; that we proceed to appropriate money for a salary increase for state employes. In short, I propose that for the first year of the current biennium we establish a standard of services.

I suggest that we establish a standard of service, that we clear the calendar of all deserving major legislation and then adjourn sine die to meet in January 1954. Having established a standard of service, as far as the hospitals are concerned, can you imagine that the Assembly reconvening would dare retreat during the second year of the biennium from the standard established in the first year? Having established a standard of service for all of our state institutions, for our schools, is it conceivable that the General Assembly would dare retreat from those standards? Certainly not!

It is quite possible to raise technical and piddling objections to that sort of a program, to say that it cannot be done for this reason or it cannot be done for some other reason. It can be done! It can be done as long as tax anticipation notes are a component part of the Commonwealth's present fiscal practice.

State services of a Commonwealth that has in excess of $850 million in sight have no reason, other than indecision and mismanagement why they should flounder and fail to serve.

Now a word as to continued sessions. If we have calendars that justify our attention and concern, members of the minority party should be present in their seats at every session, but this is no season of the year to waste a lot of time, twiddling thumbs and bickering in caucuses.

It is my considered opinion that all of the essential legislation that should be enacted at this session, can be enacted during the next two weeks, certainly in the next three weeks.

If important legislation is pending on Monday, July 13th, we should all be here. But unless important legislation is pending, there is no reason why all of us should be here simply for the purpose of witnessing the throes of the majority while it is endeavoring to make up its mind where it is going and when.

I say to the members of the minority in all seriousness, that as far as the Minority Leader is concerned, members of the minority party are, as far as I am concerned, at liberty to stay at home until they are sent for, with this exception of course that we will expect the caucus Chairman, the leader of the Philadelphia delegation, the leader of the Allegheny County delegation, the Chairman of the rural block, and the Chairman of the Democratic caucus's policy committee, plus the Minority leader, to be in attendance irrespective of whether the sessions are or are not do-nothing sessions.

Now a word as to the general all-over picture: We say that the General Assembly is not facing a financial crisis, that it is instead facing a political crisis. Various Republican leaders have apparently absconded and gone into hiding with the emblems of party power.

If given a period during which to think the thoughts that statesmen are supposed to think, it may come about by some strange coincidence that the Republican State Chairman, M. Harvey Taylor, the Republican National Committeeman, Mason Owlett, the Senior Senator from Pennsylvania, Edward Martin, the Junior Senator from Pennsylvania, Jim Duff, may by some strange coincidence meet at some rendezvous in the Poconos or elsewhere, and after they have determined to their own satisfaction who would be the standard-bearer in next year's Gubernatorial contest, they might emerge with a party program and a party.

They will have to have a party program next year. October, November, December or January would be a good time to start.

I have numerous paper clippings written by editorial scribblers. I used to be an editorial scribbler. When I was an editorial scribbler I could advise the Premier of Great Britain what he should do; I knew what the President did that was wrong; I knew absolutely where the Congress erred, and I could instruct this Legislature no end. There was not anything I did not know when I was an editorial scribbler. I used to write them by the ream.

Then I got to be a cub Legislator and learned a lot of things. I then went along in the ranks as a Legislator and I found out that before an editorial scribbler can become acquainted with the facts of life as far as General Assemblies are concerned, he had to be part of the program and know what he was up against.

I have a great regard for reporters, but since I have ceased to be one, I detest editors. I think they are an abomination. You send in the best story you ever wrote, and they take a meat ax and without intelligence the make-up man says, "It is seven takes too long." They paralyze your prize paragraphs. The only fellow that likes editors, as far as I know, is this fellow that wants to hang us, and he says, let him write anything he wants even hang the Legislators.

But these editorial scribblers, every time those mice squeek, we are supposed to jump on tables for fear. They are always placing responsibility for the present situation, and they always wind up by saying it is the wicked Democrats and that it is a conspiracy to bring this situation to frustration, because they do not have the genius, the leadership, to produce a program. They think they can convince the people that the Democrats are responsible for their inactivity and their incapacity. They won two ways. They have shielded themselves and they have placed the blame for their own shortcomings on the Democrats.

I am speaking seriously to you Republicans. If you have a State Chairman that does not visit the Governor once in six months, if you have a State Chairman that does not talk to your National Committeeman, if you have a National Committeeman that does not talk to your Junior Senator, if you have a Junior Senator that is at odds with your Senior Senator, if you are playing fast and loose for political power and expecting to put a program across in absentia and placing the responsibility on the Speaker, and upon the House Leader and absolutely divorced him from political power, you created a situation that is a shame and a disgrace to any party leadership.

Now I say, and I may say it to the peril of the Democratic party, I say that if the men I have named would get together in good faith, they would make it possible

to solve the legislative problems we have here within an hour.

Maybe I am silly making any move that might help to solidify the Republican party, but gentlemen, a minority cannot deal with shadows; a minority cannot deal with a leadership that has no power except persuasion, oral persuasion, and they pull the rug out from under you any time they want to.

The Democratic party should have responsible leadership. If I had my way I would have the Democratic party reconvene the Democratic State Committee, and I would frame new instructions if needed for the Democratic Minority in the House.

I am working and will continue to work under the last instructions given me by the Democratic State Committee. God knows what instructions you have been endeavoring to work under on the other side of the House. You have developed a positive genius for disunion.

I have said what I have said in all seriousness. I have stated my personal position, and as Minority floor leader unless rebuked by the Democratic caucus, there, Members, is where we stand.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want to say that I enjoyed the remarks of the Minority Leader just as much as the rest of the membership did.

I first want to say that as far as the Press Gallery here is concerned, I think the Press as a whole has given the people of Pennsylvania a pretty fair and clear picture and story of just what this problem is now and what has been facing this Session of the General Assembly.

I think they have pretty well driven home to the people the fact that if Pennsylvania is to continue as the great state it is, and continue the services they are giving the people, this money that we are seeking to raise by a new revenue program must be provided for. I think they have been very fair about it.

I do feel, however, that the newspapers in the last two or three weeks have become a little too much concerned about what is going on in Harrisburg. I think we have been unduly chastised for a job which I think is being fairly well done, even though we are here in the month of July. You want to remember that the original budget request was 157 million.

All committees in this House, and various individuals, and Members singly have been working on various items in the budget and have brought up suggestions where money could be saved in the budget.

As you know now we are at the point where we are forced to raise aproximately $120 million. Many savings have been made in the budget and some new things have come up that we find must be provided for. I do not think the people of Pennsylvania should complain that we have been here and saved approximately $37 million in this period since we have been in Harrisburg, and before we leave Harrisburg and close this Session we hope to make many more savings in the government, consistent with good government and providing good service to the people of Pennsylvania.

So, again I say, I think the Press has been fair, but I believe they should tell the people that things are not as bad in Harrisburg as they have led the people to believe.

Now, even if we do nothing, there will be over $800 million provided to run the state, so we are not facing financial chaos. What we need to do is to raise the additional money that is necessary to keep Pennsylvania in step with the other great states in this Union, and that is what we are trying to do. We are steadfastly trying to do it, not only on this side of the House, but on the other side of the House, so we are not, to repeat as the Minority Leader has said, in any great financial chaos nor is the state facing ruin. We will solve this problem in our good old fashioned American way before we leave Harrisburg.

I am sorry to have the Minority Leader pull the rug out from under us on those fifteen votes. It reminds me of the story of Tantalus. You know the word "tantalize" comes from Tantalus. I believe the story goes that Tantalus was forever reaching for some fruit, and as he would reach for it it would be pulled away from him, and he never did get it. I think eventually he perished, and that is where we get the word "tantalize."

The Minority Leader has been tantalizing us, shall I say, with these 15 votes. I suppose we will now perish because of losing them. I hope not.

You might say it is very poor leadership that we have been unable on this side of the House to put over a hodge podge, crazy quilt tax program, we could only raise 45 to 60 votes. I could give you the answer to that. The membership on this side of the House very, very sincerely feels that a broad base tax is the only vehicle that can pull Pennsylvania out of its financial plight. We have very poor hopes here for a broad-base tax. The Members on this side right at this moment I am sure feel that a broad-base tax is the only solution to our problem. They dislike thoroughly voting for numerous and sundry taxes which play heavily on the particular group which is being asked to pay it to balance this budget. These Members on this side of the House are sticking to that belief and I know from my conversations with them that they want a broad-base tax, and many of them are willing to stick here until that is the way in which we solve this problem. Until we do get a broad-base tax we will continue to have the financial trouble that Pennsylvania is beset with at the present time.

As to a recess I did say to a newsman over the weekend that I did not favor a recess. If it could be shown to me that a recess will accomplish something toward providing the revenue that the Commonwealth must have at the present time, if a recess will do that, I am for a recess, but we recessed in the 1951 session for two weeks, then for three weeks, and then for six weeks, I believe, and we found that during those recess periods nothing was done. Folks went on vacation. The machinery of the General Assembly came to a halt. Finally a few good men on this side of the House were appointed to sit down and stick for three weeks until they came up with an acceptable tax program, and that is what we will have to do this time. We must stick here and fight this thing out and solve this problem.

I thoroughly dislike going home and meeting my newspaperman every day, every week, between now and next January and having him say "What are you fellows going to do? Are you not going to solve this problem? Why do

you not get down there? What are you doing home? We sent you down there to do a job."

I say, as the Majority Leader, I want to see the job done on this side of the House to try to put over a broad-base tax. I think we have gone a long way to write into the tax structure of Pennsylvania a tax, as I said here weeks ago, where the average person will be given the opportunity to put his shoulder to the wheel and for once help pay the load to run this state.

Personally, I still have that same conviction. I think a broad-base tax is the only way, the only solution to our difficulty.

I agree with the Minority Leader that the leaders of the Republican party of Pennsylvania should sit down together. They should perhaps have done it long ago, and come to the leadership here and say "We have come together. We have agreed that a broad-base tax is the thing. We think we can sell it to the people of Pennsylvania. We think the people of Pennsylvania will admire the Republican party for having the courage to put on a broad-base tax in the second biennium, just before they are getting ready to elect a Governor."

That is the kind of message that I would like to have, and I would like to have them come to me and say "Here are the five votes on a silver platter that you were trying to get all this time."

I think the Minority Leader's suggestion is a good one. Of course, I will say this, I do not think all is peaches and cream in the Democratic party. I do not think the leaders in Pittsburgh on the Democratic side are speaking to the Philadelphia leaders on the Democratic side. I have that surmise from what I have been reading in the newspapers.

But that is representative government, and as long as people fight, that is good, but do they always come up with the right answer?

Over and above all the talk, the re-hash, the conversation, the huddles in the hotel corridors and the lobbies, we come back to the situation that we must raise $120 million. We can cut a little bit more here and there, and I say, that we on the Republican side, the Republican leadership, must face the fact that we must get together as Republicans and do this job. It is not the duty of the Democratic party to give us the votes, although as I said before, the Democrats come from counties that have hospitals and schools, and it is just as much their duty to help raise the money as it is to vote for appropriation bills. But it is the Republican party's primary duty to give the votes for a revenue program and that is what I am pleading for here today, on this side of the House, that we fight together, side by side and do this job, and if the minority side wants to pool with us fifteen votes, that is all right with me, because we have 109 Republican votes here that should do the job without going over and asking Hi Andrews for the votes.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish to make a brief statement in regard to a newspaper article in the morning Pittsburgh Post Gazette with respect to the rural group having a caucus.

Yesterday I made a statement in regard to the rural group's caucus, and according to the newspaper it was misconstrued to mean that there was a split, or a deal, or a rebellion in the Democratic ranks. We wish to inform the newspapers and the Members of the House that there has been no rebellion, no split or deal in the Democratic ranks in any manner. This statement is being made informing the Press of this fact.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to say as a result of long experience, that while the gentleman from Westmoreland might upon occasion lead a one-man insurrection, he never, no never, heads a rebellion.

Mr. WOOD IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. WILBUR H. HAMILTON asked and obtained unanimous consent to address the House.

Mr. Speaker, after two such soul-stiring messages concerning the affairs of the Commonwealth, perhaps the membership might be a little impatient with another speech, but I wish to assure them that my remarks will be rather brief.

Quite frequently the Members of this House receive written communications from various civic groups in the City of Philadelphia, namely, the Citizens Charter Committee, the Committee of Seventy, the Greater Philadelphia Movement and usually their epistles advocate reserving certain provisions of the Home Rule City Charter.

Invariably they use a term called "Charter Wreckers." The Press deems it advisable to put that term in headlines, quoting the statements from the organizations I have named, and several others.

Last week one of our very outstanding newspapers on the front page broke a very interesting story concerning an opinion that was submitted to the Civil Service Commission of Philadelphia freezing county jobs, and the Philadelphia Inquirer quoted the facts adequately and fairly.

Two days later another outstanding newspaper in Philadelphia deemed it advisable to print an editorial. The Evening Bulletin on July 2nd wrote this editorial entitled "Broken Charter Promise". During the past several years these two newspapers in particular have supported and upheld the Home Rule City Charter.

I now wish to compliment them on presenting the facts in reference to broken charter promises which are not emanating from political leaders' of parties, but from the Democratic city administration in Philadelphia.

I wish to read into the Journal the editorial that appeared in the Evening Bulletin on July 2nd entitled Broken Charter Promise.

> The City charter could not have been clearer in its intention than non-civil service employees who might become city employees by virtue of the city-county consolidation amendment were to keep their jobs if, within a year after the effective date of the Charter, they pass qualifying tests.
>
> But after a number of newly elected county officers took over in January 1952, and before any qualifying tests were offered, some hundreds of county employees were made to walk the plank.
>
> Now the Civil Service Commission, backed by the

City Solicitor, has held that the right to take the qualifying tests belongs not to the employees serving before January 7, 1952, when the Charter became effective, but to those serving since July 2, 1952.

The effect of this is to freeze in a large number of employees who have entered the service after the Charter went into effect, and to freeze out a large number who were serving on the effective date of the charter but never had a chance to take the qualifying tests promised by the Charter.

This has a nasty look, and if there is any way to test its legality it is to be hoped that some nonpartisan citizens' group will make the test. An incident of this sort strongly suggests that the merit system set up by the Charter is not what was called for in the prescription.

Yesterday one of our very great Philadelphia newspapers saw fit to write a very lengthy editorial accompanied by a cartoon outlining more in detail the violations of the Home Rule City Charter by this opinion of the City Solicitor who is part of the city administration.

This editorial appeared in the Philadelphia Daily News, Monday July 6, 1953, one of our papers that always prints the unadulterated truth with courage and conviction.

Today, Mr. Speaker, I am sending personal letters to the Citizens Charter Committee, the Committee of Seventy and the Greater Philadelphia Movement requesting that they accept the challenge offered in the editorial of the Philadelphia Bulletin to come forth and test the legality of this job freeze, which is the most flagrant and glaring violation of the Home Rule Charter. It is only one of the many instances the charter wreckers are not always identified with the regularly organized political parties, but they are within the administration which talks publicly one way and privately acts another.

I want to commend our newspapers for calling this horrible situation to the attention of the people of Philadelphia and I hope those civic groups and reform groups will comply with the request of the newspapers and have the courage to come forth and test this decision in our courts.

PERMISSION TO ADDRESS HOUSE

Mr. WILLIAM B. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not intend to throw any bouquets or balls of fire at the Press, or shed any crocodile tears as to what is going on back home, but after listening to the very able Leaders, I think you are entitled to listen to an amateur.

As I see the picture, and this is not my first session here, I believe that a man is judged on his accomplishments. The last session lasted a year; this session has gone on for six months and we have accomplished nothing.

With that in mind I would recommend that the Governor of the state of Pennsylvania either resign or be recalled and allow the Lieutenant Governor to move in and try to clear this picture as best he can. It has been proven that the Governor of this state no longer has anything to say regarding the Republican party of the state of Pennsylvania.

Therefore, I believe, in all sincerity that there would be that possibility that the Lieutenant Governor might be able to bring these factions together and enact some sort of a tax so that it is not necessary for the Members of this House to come down here week after week, leave their business back home and do nothing. I for one would come down here and stay until Christmas for the good of the Commonwealth of Pennsylvania, but I certainly do not relish the idea of coming down here week after week and doing nothing.

That would be my recommendation.

The SPEAKER (Charles C. Smith) IN THE CHAIR

The Speaker. The Chair thanks the gentleman from Lancaster, Mr. Wood, for presiding.

PERMISSION TO ADDRESS HOUSE

Mr. NEEDHAM asked and obtained unanimous consent to address the House.

Mr. Speaker, On behalf of the people on the south side of Scranton, I want to express appreciation to Governor Fine and Secretary of Mines Clements for their prompt action in making available emergency funds to help fight a mine fire now raging in that area. This fire, in an abandoned mine, presents a serious threat to health and property. The state has now joined with the city of Scranton and the Moffat Coal Company in combatting it. Considerable progress has been made in halting the spread of the fire. The State Department of Mines has taken steps to ease the threat to human life. Because of the nature of the fire, heroic measures will continue to be necessary until it is put out.

The state acted immediately after the seriousness of the situation was brought to the attention of Governor Fine. The Governor's appreciation of his responsibilities and his concern for the welfare of the people in the area was dramatically demonstrated by his prompt order to expedite effective and large scale state aid.

I cannot help but contrast the Governor's reaction to that of his predecessor, James Duff, when a similar condition confronted the people of Carbondale during the 1947 Session of the Legislature. At that time, when Lackawanna County representatives requested state aid from Gov. Duff in combatting the Carbondale fire, the latter attempted to bargain for votes for his then stalled Tax Program. The welfare of the citizens in the Carbondale area was placed in the category of a political pawn.

It was refreshing indeed to see Governor Fine act in aid of the people of Scranton and vicinity without the slightest hesitation and with no desire to make political capital out of a grave public problem.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I was very pleased to hear the epistle that the gentleman just read. It comes rather timely after the remarks of the previous speaker.

I might say at the close of last session the newspapers of Pennsylvania—it seems we are referring quite volubly to the Press today—said that the average person in Pennsylvania as a result of last Session had received a tremendous break. The newspapers reviewed the legislation that we passed last Session, they reviewed the humanitarian things that the Session accomplished, what we did for our schools, the boost we gave to our school teachers, and they were quite loud in their praise of what Governor Fine had done his first Session.

I am sure if you folks will read the opening message of the Governor to this General Assembly, what he had to say about the schools, about welfare, about those on public assistance and those requiring aid of various types from the state, you cannot help but come to the conclusion that the man possesses a heart that many people do not realize. He is for the minority groups in Pennsylvania in the stand he has taken on FEPC.

Personally I do not feel badly because Governor Fine has not come in here and lashed with a whip and told us we must vote for a certain tax program. He is the Executive of this Commonwealth and he believes in the independence of the various branches. He is really letting this Session of the Legislature show that we are the General Assembly of Pennsylvania and that we are not a rubber stamp General Assembly.

I think when Governor Fine goes out of office and the accomplishments of his administration are reviewed—the many fine roads that will have been built and what we have done for our schools, I think everyone will say that he has done a good job. I think he has been unduly criticized for sitting back and letting this General Assembly—this House of Representatives—where revenue raising is supposed to originate, do the job by ourselves. He has given us some hints in what to do, but he has not come in here and said, or he has not called any of us, and said you have to do this or else. I think that is a very commendable characteristic.

REPORTS FROM COMMITTEES

Mr. SCHMIDT from the Committee on State Government, reported as committed, House Bill No. 116, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teacher Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Mr. GLICK from the Committee on State Government, reported as amended, House Bill No. 656, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the establishment by the Department of Property and Supplies of standards for the design, construction, repair, alteration, equipping and furnishing of buildings owned or to be constructed by or for the Commonwealth and the materials used therein; repealing inconsistent legislation; directing the Department of Property and Supplies to make a report to the next General Assembly; and making an appropriation.

Mr. THOMAS H. W. JONES, from the Committee on Judiciary, reported as amended, House Bill No. 781, entitled:

An Act providing that publication of reports of judicial and legislative proceedings and of governmental bodies, shall be privileged, subject to certain conditions; and extending the privileges to the publication of certain statements by public officials and requiring proof of abuse of the privilege in an action for defamation.

Mr. AMARANDO, from the Committee on State Government, reported as committed, House Bill No. 1106, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes.

Mr. THOMAS H. W. JONES, from the Committee on Judiciary, reported as amended, House Bill No. 1259, entitled:

An Act to add subsection (f) to Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto by further providing for certain commitments by petition.

Mr. PRICE, from the Committee on State Government, reported as committed, House Bill No. 1311, entitled:

An Act to further amend Section 731 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of account and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by permitting public inspection of distributors' monthly liquid fuels tax report with certain exceptions.

Mr. READINGER, from the Committee on Judiciary, reported as committed, House Bill No. 1363, entitled:

An Act to amend sections one and three of the act, approved the twenty-fifth day of May, one thousand nine hundred fifty-one (P. L. 415), entitled "An act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of common pleas; prescribing venue; defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation, including that conferring jurisdiction on courts of quarter sessions," by limiting jurisdiction over juveniles in certain cases.

Mr. MOODY, from the Committee on Judiciary, reported as amended, Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) enittled An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents ;and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

Mr. AUKER, from the Committee on Judiciary, reported as committed, Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating therto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

ANNOUNCEMENT

The SPEAKER. Prior to a recess being declared, the Chair would inform the Members that immediately upon a recess being declared, there will be a meeting of the Law and Order Committee in the room to the left of the Speaker's rostrum.

The Chair would also request the Members, for the sake of saving time, to immediately go to their caucus rooms so that there will be no long delay in starting the caucuses and so that within the period of an hour we can return to the House.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. TOLL asked and obtained unanimous consent to address the House.

Mr. Speaker, in response to the solicitude of the gentleman from Philadelphia for the Philadelphia City Charter, I want to point out that its interpretation and its support are in the hands of its friends.

The public should have no fear of the interpretation of the Charter by the Philadelphia City Solicitor. He is a man of great learning and the highest integrity. I understand that in his opinion he relied upon the Supreme Court decision of the Commonwealth of Pennsylvania in the case of Carrol versus Lennox.

I, therefore, suggest that the case be studied by those who are interested. They will undoubtedly see the basis for the ruling which was made by the Philadelphia City Solicitor.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 30, 1953.

Resolved (if the Senate concur), That House Bill No. 1152, Printer's No. 388, entitled "An act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled 'An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class' by requiring the recorder of deeds in certain cases to report transfers of property to supervisors of townships of the second class," be recalled from the Governor for the purpose of amendment.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL 1152

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1152, Printer's No. 388, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE

RECONSIDERATION OF VOTE

Mr. MOODY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. OGILVIE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Dauphin, Mr. MOODY, vote on the final passage of this bill?

Mr. MOODY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Dauphin, Mr. OGILVIE, vote on the final passage of this bill?

Mr. OGILVIE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. MOODY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MOODY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 9 by striking out at the end of the line after the word "month" the following: "THE"

Amend Section 1, page 3, by striking out lines 10 to 13, inclusive, and inserting in lieu thereof the following: "When a written request has been made for a record of transfers in a township, as herein provided, the recorder of deeds shall thereafter charge and collect, as a fee for the services hereinabove prescribed, the sum of twenty-five cents (25c) for each deed recording the conveyance of land in such township."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 323.

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law.

SENATE BILL No. 324.

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers.

SENATE BILL No. 535.

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school disticts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 296, 404, 480, 485, 571 and 692.

RECONSIDERATION OF VOTE ON SENATE BILL 489

Mr. BANKER. Mr. Speaker, I move that the vote by which Senate Bill No. 489, Printer's No. 290, entitled:

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils.

was defeated on final passage, Tuesday, June 30, 1953, be reconsidered.

Mr. MOSCRIP. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Huntingdon, Mr. Banker, vote on the final passage of this bill?

Mr. BANKER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Bradford, Mr. Moscrip, vote on the final passage of this bill?

Mr. MOSCRIP. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BANKER. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 204.

An Act to amend Section 2 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by giving juvenile courts jurisdiction during vacation

HOUSE BILL No. 414.

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide as ad-sectum judgment index and fixing the fees of the prothonotaries therefor.

HOUSE BILL No. 821.

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions.

HOUSE BILL No. 1059.

An Act to amend Section 1 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names; and making certified copies of their election evidence in all cases," by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name.

HOUSE BILL No. 1184.

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of service for policemen

HOUSE BILL No. 1208.

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

HOUSE BILL No. 1209.

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

HOUSE BILL No. 1351.

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

HOUSE BILL No. 1352.

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. GLEASON, from the Committee on Law and Order, reported as committed, House Bill No. 1482, entitled:

An Act to add section seven hundred ten point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any person sentenced to life imprisonment to commit an assault by any means likely to produce great bodily injury, and fixing the penalty therefor at death.

Mr. TOMPKINS, from the Committee on Judiciary, reported, as amended, Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings of the United States Government, and of copies thereof, and extracts therefrom, and certificates in reference thereto," by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates, fares and charges, and supplements thereto, filed with the Interstate Commerce Commission.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 466, entitled:

An act fixing the maximum hours of employment for members of the fire and police departments and uniformed officers and men employed as park guards in cities of the first class except in emergency cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 880, entitled:

An Act requiring the district attorney of Philadelphia to devote his entire time to his office; prohibiting his engaging in any other business, profession or occupation, rendering him ineligible to continue to hold his office for violation of the provisions of this act and increasing his compensation.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHWARTZ offered the following amendment:

Amend Sec. 1, page 2, line 1, by inserting after "Philadelphia"; "and of each county."

On the question,

Will the House agree to the amendment?

Mr. WILBUR H. HAMILTON. Mr. Speaker, House Bill 880, Printer's No. 420, is an equitable bill, and the amendments will help to destroy a very fair piece of legislation. I would ask the Members to vote down this and any other amendments.

Mr. SCHWARTZ. Mr. Speaker, it was not my intention to take the floor at this time, but after my respected colleague from Philadelphia made the remarks he did, I take no hesitancy at all.

I do not think the amendment will destroy this bill in and way, shape or form. What the amendment will do will be to make equal every District Attorney in every one of the 67 counties of the state of Pennsylvania.

I see no reason why my colleague from Philadelphia cannot agree that what is good for the District Attorney of Philadelphia will likewise be good for all the other District Attorneys.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I have been reliably informed by representatives, good citizens from the various counties throughout Pennsylvania, that their District Attorneys are men who devote their full time and all their talents to the important office of District Attorney throughout the other 66 counties.

I understand that they burn the midnight oil when it is necessary. Their compensation does not compare with the substantial annual salary of the District Attorney of Philadelphia. Nevertheless, unstintingly they gave of their time and talents to that important office which is not true in the city of Philadelphia currently.

If the other Members decide, Mr. Speaker, that their respective District Attorneys are not giving a full day's work for an honest day's pay, I am quite certain they would introduce similar legislation. When we debate the bill tomorrow, I assure my distinguished colleague from Philadelphia the facts will be revealed, that the District Attorney of Philadelphia currently is not giving his best to this important position.

Again I reiterate, please vote down the amendments.

Mr. SCHWARTZ. Mr. Speaker, I think my colleague from Philadelphia has been slightly misinformed about all these other 66 counties. However, I know from my own experience, being an attorney in Philadelphia, that our current District Attorney has done something that the other District Attorneys that preceded him never did.

I have seen our District Attorney in the court rooms tryng cases. I do not remmember Mr. Maurer, the preceding District Attorney, trying any and I do not remember Mr. Fox trying any. I do not think any of the other lawyers here from Philadelphia remember any District Attorney in the court room actually trying a case. They all practiced law prior to this District Attorney. Just because we happen to get a Democrat elected down there, I do not see why everybody should try to clip his wings.

I would like to ask for a roll call on these amendments.

Mr. TOMKINS. Mr. Speaker, if I understand these amendments, they mean that all District Attorneys in the 67 counties will be compelled to devote their full time to the district attorney's work and would not be allowed to engage in private practice.

Having been a former District Attorney in one of the smaller counties of the state, I want to assure you that if these amendments go through, you would have a great number of counties in the state of Pennsylvania wthout any District Attorney because it would be impossible for them to live if they took that office.

In the smaller class counties they do not have any Assistant District Attorneys, they do not have any detectives. Your District Attorney does the work and handles most of his own investigations and what have you.

I am not arguing the merites of the bill. The merits of the bill will come up on third reading tomorrow, but

I do stand here in defense of the District Attorneys in the other 66 counties of the state in connection with trying to make them subject to the provisions of this bill.

I think it is eminently unfar. I know nothing about the situation in Philadelphia. As I say, that takes in the merits of the bill. But I do say that if you pass these amendments, you will have a great number of counties in the state of Pennsylvania without District Attorneys.

PARLIAMENTARY INQUIRY

Mr. READINGER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. READINGER. Is a bill before the House on second reading debatable in full?

The SPEAKER. The Chair would inform the gentleman that the Bill before the House is debatable in full on the question, "Will the House agree to the bill on second reading?" The answer would be, yes.

Mr. READINGER, I had not intended to speak on these amendments, but I find that I am in a position that I must. Much to my dislike, I must oppose the amendments offered by the gentleman from Philadelphia, Mr. Schwartz.

As Mr. Tompkins has pointed out, many of the smaller counties have very low paid District Attorneys, and probably will for many years to come. If any elected District Attorney were compelled to serve or spend all of his time in that office, I am afraid you would not be able to get anybody to run for it.

The reason I raise the question about the bill being debatable on second reading is because I wish to refer to the lack of merit that this bill has in connection with my comments on these proposed amendments.

I do not know what your feelings might be about changing the rules in the middle of a game, but it certainly runs counter to my best judgment.

If in the future it should be determined that it is better for Philadelphia with its vast amount of business in the District Attorney's office to have a District Attorney who will devote all of his time to that office, then I think we should pass a law some day providing that any future District Attorney shall know before he is elected that he will have to devote all of his time to that office.

If this bill has not been put in purely to embarrass the Democratic administration in Philadelphia, and probably Richardson Dilworth in particular, then I do not know what purpose it has.

Mr. Schwartz pointed out a few minutes ago that he never remembers any prior District Attorneys, who were Republicans, in court trying cases as the present District Attorney does.

I think these amendments now should be defeated because they are not necessary at all to defeat this bill. I think this bill is going down tomorrow in the manner in which it should.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to make it unmistakably clear that this bill only applies to the city of Philadelphia. I am glad Mr. Readinger sees the wisdom of voting to help to defeat these amendments, and I hope all the other Members of the House will vote to defeat these amendments.

On the question recurring,

Will the House agree to the Amendments?

They were not agreed to.

MOTION TO LAY BILL ON TABLE

Mr. ANDREWS. Mr. Speaker, I move that House Bill 880, Printer's No. 420, be placed upon the table.

On the question,

Will the House agree to the motion?

Mr. WILBUR H. HAMILTON. Mr. Speaker, if I am in order I would like to suggest that the motion made by the Minority Leader ——

The SPEAKER. The gentleman is not in order at this time. A motion to lay upon the table is not debatable. The question is on the motion.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. ANDREWS and Mr. READINGER and were as follows:

YEAS—90

Adam,	Hamilton, R. K.,	McDermit,	Sarraf,
Alexander,	Harris,	McGee,	Schmidt,
Amarando,	Hersch,	McWherter,	Schuster,
Andrews,	Hoggard,	Mihm,	Schwartz,
Bazin,	Jenkins,	Mills,	Seyler,
Boory,	Jim,	Monroe,	Smith, W. B.,
Breth,	Jones, Gran'le E.,	Moran,	Snider,
Bucchin,	Jones, Paul F.,	Munley,	Stank,
Capano,	Kamyk,	Murray, J. J.,	Taylor,
Cianfrani,	Kolankiewicz,	Musto,	Thomas,
Cioffi,	Kornick,	Needham,	Toll,
Comer,	Kubacki,	Olsen,	Varallo,
Conner,	Leonard,	Parlante,	Verona,
Coyle,	Leven,	Peta,	Wallace,
Dougherty,	Limper,	Petrosky,	Walsh,
Downey,	Lopresti,	Pfaff,	Wargo,
Farabaugh,	Lovett,	Polaski,	Welsh,
Fenrich,	Lutty,	Polen,	Wheeler,
Filo,	Maguire,	Poltenstein,	White,
Floyd,	Maxwell,	Readinger,	Whitenight,
Flynn,	McCann,	Rosen,	Williams,
Glick,	McCormack,	Rovansek,	Yetzer,
Guss,			Zeitz,

NAYS—97

Ashton,	Gibson,	Leisey,	Spencer,
Auker,	Gleason,	Lippincott,	Stevenson,
Banker,	Goodling,	Mahan,	Stimmel,
Barkdoll,	Gramlich,	Markley,	Stoner,
Baumunk,	Greenwood,	Mathews,	Strausser,
Bear,	Guthrie,	McCullough,	Sucher,
Blair,	Hall,	McInroy,	Thompson,
Bolton,	Hamilton, W. H.,	Mikula,	Tompkins,
Bomberger,	Haudenshield,	Miller,	Toomey,
Bower,	Helm,	Moody,	VanSant,
Breisch,	Hewitt,	Moore,	Vaughan,
Brown,	Hocker,	Moscrip,	Wall,
Buchanan,	Ide,	Murray, P. G.,	Waterhouse,
Bullen,	Johnson,	Naugle,	Weidner,
Clapper,	Jones, Geo. E.,	Ogilvie,	Wescott,
Connelly,	Jones, T. H. W.,	Price,	Whalley,
Cooper,	Jump,	Quisenberry,	Willaredt,
Davis,	Keller,	Ragot,	Wilt,
Down,	Kent,	Reagan,	Wood,
Dunn,	Kerlin,	Richter,	Worley,
Erb,	Kohl,	Royer,	Yeakel,
Ewing,	Kratz,	Rubin,	Young,
Ferster,	Kromer,	Scott,	Ziegler,
Fleischman,	Lafore,	Shoemaker,	Smith, C. C., Speaker
Frost,			

NOT VOTING—20

Boles,	Geer,	Metz,	Reidenbach,
Cochran,	Gutendorf,	Muldowney,	Shotwell,
Curwood,	Kline,	Petify,	Stone,
DuBois,	Lederer,	Pettigrew,	Varner,
Flack,	Light,	Phillips,	Watkins,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I rise to oppose this bill. It is the type of legislation that has bedeviled this Session from its very beginning. Never in my entire legislative history have I known so much venom, so much pure vindictiveness cloaked behind such a smiling front as we have witnessed in connection with the crusade to embarrass, to harass an opposition simply by reason of the fact it happens to have been successful.

If the people of Philadelphia want this kind of bill they should have included it in their Charter. I question the propriety of increasing the emoluments of a District Attorney or any other public officer during the term for which he has been elected.

Every lawyer knows that there is nothing incompatible between the duties of a district attorney and certain phases of civil practice. District Attorneys are not supposed to punch a time clock. This bill smacks of pure political deviltry. It is not based upon any precedent known to any lawyer and I observe with grief, with great grief, that when there is presented to this House a measure involving only a vicious political attack that draws a party line, the majority party is quite capable of drawing the party line.

On a measure wholly without merit, because it is offered by an influential Member of this House whose assistance undoubtedly will be needed in connection with business pending or business that will arise, an embattled majority can close its ranks in hatred against Richardson Dillworth. All of the hatred and all of the bile that has been stored up as a result of the fact that there was the end of a corrupt machine in Philadelphia, that presented a minority that had become a majority and enabled it to go down the line without a single defection.

I do not have any bright, happy thoughts that this bill can be defeated, particularly since there will be a gathering of the hosts in battle tomorrow, the absentees will be sent for and the majority will be present in all its 107-109 glory. It will celebrate its reunion by joining to pass political trash of its particular kind.

I say one of the sources of satisfaction to the minority is that it is always privileged to stand for decent legislation. We don't have to compromise our position. We do not have to hate Republicans just because they are Republicans. We do not have to embarrass Republican administrations because they happen to overthrow a vicious Democratic administration. We are not bound by those ideals and ideas reminiscent of the gutter policies that disgraced Philadelphia for generations. I think this is the kind of bill that should be defeated. On second reading, I will ask for a roll call and ask that the bill does not pass on second reading.

Mr. LOVETT. Mr. Speaker, I enjoyed very much the remarks of my Floor Leader. My speech will be very short and to the point.

I know many attorneys on your side of the House. I know that you have men over there who are fair. We have men over here who are just as fair as you are, and I say to you if there is one time we should be fair, this is it. You men should know, you attorneys especially, what is right and what is wrong. You know what is fair and what is not fair. If you are going to continue to be unfair, we are never going to solve the problems of the state. I say to you you should, at this particular time, especially among the attorneys, stand up and be counted on legislation that is fair, and vote against this bill.

Mr. PAUL F. JONES. Mr. Speaker, I am convinced after the fall of the previous motion to table this bill that Allegheny County as such is not affected, but we happen to have in my county a District Attorney who is a Republican.

I am not personally conversant with his private affairs to the extent that I could say that he would be adversely affected had the previous motion prevailed, but I oppose the bill from the standpoint of principle. I believe that the extension of this type of thinking in the end is going to come back to haunt us. If this is good legislation for Philadelphia County, by the same token it strikes me that it should be good legislation for Allegheny County. I do not follow that reasoning in this particular instance.

I want to point out to you that if it is good for the District Attorney to engage and devote his entire period to the prosecution of the work of his office, by the same reasoning certainly it should be that judges should devote their entire time to their positions. I know as a matter of fact and from personal knowledge, and there has been no complaint as to this activity on the part of our judges, that they have served on boards of arbitration, some of them teach in law schools, some have gone so far as to referee football games, and this in a measure has supplemented their income. I do not believe that the people of Allegheny County have suffered by reason of this activity on their part.

I am reliably informed, and I have heard discussed on the floor of this House that we have a cabinet officer right here in Harrisburg in charge of a Department who does not devote his entire time to his work, nor does he take the pay that goes with the office. There is nothing wrong about that. Apparently the Commonwealth is not suffering because of that condition, because we have seen fit to tolerate it.

In my opinion human capacities vary with the individual. If that District Attorney who would be in Cameron County finds it necessary to go out and engage in some other activity in order that he might serve the electorate; if the District Attorney in my county has the capacity that he can take on some outside work without the people who entrusted him to office over there suffering, I see nothing wrong. But after listening to the discussion I am convinced that the bill is politically inspired, and is what we term punitive legislation. It is definitely not in the public interest, and should be opposed from a standpoint of principle.

In the federal government we have the services of men whom we could not afford to pay, who have accepted public office in order that they might serve. We have any number of individuals serving throughout this Commonwealth on the same basis. We discourage that sort of thing with bills like this.

I want to submit to you that we have a chance in voting for the motion offered by the Floor Leader of the minority party to vote this bill down on second reading. We have a chance here this afternoon to take a stand for principle, and I believe the consciences of the men in this House will impel them to vote for the motion before the House.

Mr. SCHWARTZ. Mr. Speaker, besides everything you have heard, there is a joker in this bill.

The joker is simply this. It provides for an increase in

salary for the District Attorney. Now on its face that looks fine, but if you know anything about the Constitution of the state of Pennsylvania you know that the emoluments of a public servant, a public official, whether elected or appointed, cannot be increased while he is in office. I think last session you raised the salaries of County Commissioners while they were in office and the Supreme Court turned it down.

Under our state constitution, Section 13, Article 3, it states as follows:

> No law shall extend the term of any public officer or increase or diminish his salary or emoluments after his election or appointment.

So, certainly, we know that part of this bill as introduced must fall.

There is one other point that should be noted. That is that our current District Attorney in Philadelphia has been decent enough that when he has handled private practice, he has refused to take the salary of his office for that particular time. Certainly under circumstances like that, the man should not be chastised for living up to his campaign promises. He campaigned on the basis that he could not devote his full time and attention to the office of District Attorney, because he could not afford to take a cut in his income such as that would entail.

I reiterate the position of some of my colleagues here, that this is a very, very bad bill, and we should defeat it on second reading and not wait until third reading.

Mr. WILBUR H. HAMILTON. Mr. Speaker, it is obvious that there will be another barrage of attacks upon the merits of this bill on third reading. Frankly, Mr. Speaker, I am very much tempted to discuss this bill at length today, but in the interest of conserving time, and also to carry out the usual procedure of permitting a bill to roll on second reading, I would like to ask a Member from Philadelphia, or the Minority Leader, whether they would be kind enough to accept the previous vote of 97-90, defeating the motion to table this bill.

The SPEAKER. Will the Minority Leader at this time permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, I shall.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I repeat my question. Will the Members on the other side of the House accept the roll call vote to defeat the bill or pass the bill on second reading?

Mr. ANDREWS. Mr. Speaker, we can not agree to that proposal because there is a very grave difference between a motion to table a bill, and a motion designed to get a record vote on the merits of the bill. Tabling the bill simply delays consideration, because this bill can be taken from the table any time a majority so desires.

The queston at issue now is the merits of the bill, and on the merits of this bill we desire a roll-call vote at this time.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to inquire if any other Members on the other side of the House are going to debate this bill further on second reading.

The SPEAKER. The Chair has no knowledge of any debate. The gentleman will have to direct his question at an individual.

Mr. SCHMIDT. Mr. Speaker, in answer to the remark of the gentleman from Philadelphia, I would say that the question as to whether or not there will be any further debate will depend upon the type of statement the gentleman may make in support of the bill. If they require an answer, an answer will be forthcoming. If they do not require an answer, debate will cease.

PARLIAMENTARY INQUIRY

Mr. WILBUR H. HAMILTON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILBUR H. HAMILTON. To pass a bill on second reading does it require a constitutional majority?

The SPEAKER. It does not require a constitutional majority to agree to a bill on second reading.

Mr. WILBUR H. HAMILTON. Just a simple majority.

The SPEAKER. Just a simple majority, the gentleman is correct.

Mr. WILBUR H. HAMILTON. Thank you, Mr. Speaker. Then the roll call is perfectly agreeable to me, for this reason.

It reminds me of the man who was in a trolley car hanging on a strap in front of a rather large woman. The trolley was crowded, and he kicked her feet once or twice. She became very much annoyed and made a few remarks. Finally after her patience was exhausted she said, "Why don't you put your foot where it belongs?" He said, "Lady, don't tempt me, don't tempt me."

That is the way I feel about debating this bill on second reading.

Answering the distinguished Members on the other side of the House, I would prefer that the prolonged debate on final passage of this bill be held tomorrow because there was not a single point raised for which there is not an excellent answer.

I would prefer to hold the prolonged debate tomorrow, and I do wish the Members on the other side of the House would let this bill pass with the previous roll call so that we can pull out the stops, and I assure you, Mr. Speaker, every question will be answered fully, and I hope convincingly to the entire membership of this House.

Mr. ANDREWS. Mr. Speaker, I simply suggest to the House that one of the ways to escape the agonies incident to a prolonged debate tomorrow is to defeat this bill today.

Mr. READINGER. Mr. Speaker, I believe it was Benjamin Franklin who first uttered the words, "Do not put off until tomorrow what you can do today." The gentleman from Philadelphia has made it very plain that he would like very much to have all this debate take place tomorrow or at some other date.

We do not choose to have it happen tomorrow. We probably will have more to do tomorrow than we have time for.

At this time I desire to interrogate the gentleman if I may.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WILBUR H. HAMILTON. I shall, Mr. Speaker.

Mr. READINGER. Would the gentleman tell me on what grounds Section 3 of this bill, raising the salary of the District Attorney from $15,000 a year to $18,000 a year can be upheld within the constitution?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I am not

a constitutional lawyer nor any kind of an attorney, but if any attorney, no matter how prominent or eminent, can predict or forecast an opinion by the Supreme Court of Pennsylvania, they are very unusual, and I would like to shake his hand at the end of this Session.

Mr. READINGER. I thank the gentleman, Mr. Speaker.

Mr. Schwartz has already read, I believe, a section of the Constitution which is applicable to this particular section, but I am not so sure that all the Members were listening at the time he read it and I would like to re-read it for the benefit of the gentleman from Philadelphia. It does not take a lawyer to understand the meaning of the words.

This is Section 13, of Article III of our Constitution, and it reads this way

> No law shall extend the term of any public officer or increase or diminish his salary or emoluments after his election or appointment.

I do not think there is a question in the minds of any of us that the District Attorney of Philadelphia is a public officer within the meaning of that Section of the Constitution.

What could happen in the courts, if this bill should pass by any mischance, is that the court could rule out Section 3 as being unconstitutional and uphold all the rest of the bill.

I return again to what I said originally about fair play. A District Attorney runs for office knowing what the law is and what he is required to do and so forth. Then after he has been elected, we perhaps change the law requiring him to devote much more of his time to that office then he ever expected to and at the same salary.

How would we like it if while we are in office we should change the law relating to our own jobs and provide that we should stay here 150 days a year, or some other number of days, way beyond what we ever expected to spend here. It is not only because of a person involved in this particular case that I object to it, but as Mr. Jones of Allegheny said, this bill should be voted down on principle. It is wrong to do what is being attempted here. I for one am glad to see the matter raised on second reading so that we can show our contempt for this kind of legislation before it gets to final passage.

Mr. ANDREWS. Mr. Speaker, we ask for a roll call on whether the House will agree to the bill on Second Reading. Is not that the proper procedure, Mr. Speaker?

The SPEAKER. The question before the House at this time, for the information of the gentleman, is, Will the House agree to Section I of the bill? We have not yet reached the parliamentary procedure where the question is, Will the House agree to the bill on second reading? At that time there will be a roll call.

Mr. ANDREWS. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. TOLL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOLL. The House did not agree to Section I. Is not a roll call taken on Section I?

The SPEAKER The roll will be called on the question of whether the House will agree to the bill on second reading.

Mr. TOLL. Well, suppose there are additional amendments to be offered to other sections of the bill?

The SPEAKER. We will consider additional amendments as we reach the other sections of the bill. We are now considering only Section 1.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

The SPEAKER. Does the gentleman from Philadelphia, Mr. Schwartz, at this time withdraw his amendment to Section 2 in view of the fact that the amendments to Section 1 were not agreed to?

Mr. Schwartz. Yes, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the Section?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Schwartz, withdraw his amendments to Section 3 in view of the fact that the amendments to Section 1 were not agreed to?

Mr. SCHWARTZ. Yes, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. TOLL offered the following amendment:

Amend Sec. 4, page 2, lines 16 and 17 by striking out "imme-" in line 16 all of line 17 and inserting in lieu thereof "upon the expiration of the term of the present incumbent."

On the question,

Will the House agree to the amendment?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I ask that this amendment be voted down.

Mr. SCHMIDT. Mr. Speaker, I rise in support of the amendments to this bill. I feel that in all fairness if this bill is other than what its sponsor says, other than a bill of vindictiveness, and to govern the acts of future District Attorneys, this amendment should be passed.

Insofar as the bill is concerned as to change of emoluments, it could not take effect until the term of the next duly elected District Attorney. It seems as though the sponsor of this bill who has been raised in the old school of politics, as I was, does not desire to give any quarter, and has asked no quarter.

I ask you Members to support this amendment so that the effect of the bill, if sincere, will take effect upon the election of a District Attorney who will seek office knowing what the requirements of the office are at that time.

Mr. TOLL. Mr. Speaker, my learned colleague from Allegheny County took some of the words which I was about to utter with regard to this amendment.

What I really want to say, in the terms of our friend Jim Lovett from Westmoreland, is it fair to affect a man's term when he ran for office, knowing that he was

to have freedom to engage in private practice? I submit that this refusal of the sponsor to accept this amendment, smokes out the entire motive, and I ask that we have a roll call on this amendment, and that we have a verification of the roll.

Mr. McCORMACK. Mr. Speaker, I rise to defend my good friend and colleague, Mr. Hamilton, of Philadelphia. I do not think this bill was inspired by vindictiveness or from political motives. So, I desire to interrogate the gentleman from Philadelphia, if I may.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Hamilton, permit himself to be interrogated?

Mr. WILBUR H. HAMILTON. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, is there any particular reason why the gentleman will not vote in favor of the last amendment offered to this bill?

Mr. WILBUR H. HAMILTON. Mr. Speaker, the District Attorney in Philadelphia precipitated this situation personally. The people, his friends, had nothing to do with it. The district attorney himself is the one who has decided to violate his pledge to the people, in not devoting his entire time and all his talents to that particular job.

The District Attorney of Philadelphia is the one to do a complete about face, and he should begin giving the taxpayers of Philadelphia everything to which they are entitled and that which he promised during the campaign of 1951. I will have a lot to say about that tomorrow if we discuss this bill on final passage.

Mr. McCORMACK. I do not believe the gentleman answered my question, Mr. Speaker, with respect to why he will not vote for this latter amendment.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be further interrogated?

Mr. WILBUR H. HAMILTON. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I ask the gentleman if there is any specific reason why he will not vote for this minor amendment offered to this bill.

Mr. WILBUR H. HAMILTON. I made a very comprehensive answer to that question, Mr. Speaker. I endeavored to make the point unmistakably clear and in my humble opinion, I made it clear. I hope the gentleman from Philadelphia, Mr. McCormack, will accept my answer.

Mr. McCORMACK, Mr. Speaker, I desire to further interrogate Mr. Hamilton.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be further interrogated?

Mr. WILBUR H. HAMILTON. Yes, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, since I am from Philadelphia and I am an attorney and I practice before the court. I have not heard of any complaints with regard to the conduct of the District Attorney or the efficiency of his staff..

Now Mr. Hamilton made the blanket statement that Mr. Dilsworth has not lived up to his campaign promises, and I would like to know in what respect he did not.

Mr. WILBUR H. HAMILTON. Mr. Speaker, again I would like to emphasize that they are making it very tempting, but the hour is getting late and I hope such interrogation will be held off until tomorrow, when we will have ample time to cover every single word and letter, dot and comma regarding this situation.

Mr. McCORMACK. A further question, Mr. Speaker. Does the gentleman from Philadelphia, Mr. Hamilton, know whether or not the assistant district attorneys in Philadelphia are able to engage in private practice?

Mr. WILBUR H. HAMILTON. Mr. Speaker, the gentleman is getting very warm, he is close, and if he will be patient, I will give him documentary proof concerning several of his questions.

Mr. McCORMACK. Mr. Speaker, the gentleman did not answer my interrogation. I have certainly been patient here. I have listened for the better part of this afternoon and I think I might not be here tomorrow. Nevertheless, I do want to get these questions in and get satisfactory answers. So I ask forbearance on the part of Mr. Hamilton to bear with me for a few moments while I finish this. Will the gentleman answer my questions?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I will simply reply by saying that the gentleman did not have to listen to my oratory this afternoon. I would suggest that he postpone any other important business unless it is an emergency, because I know he is going to enjoy it tomorrow and get a lot of answers to his questions.

Mr. McCORMACK. Mr. Speaker, does the gentleman refuse to be interrogated?

The SPEAKER. Evidently the gentleman from Philadelphia, Mr. Hamilton, refuses to answer any more questions at this time. Is the Chair correct in that opinion?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would never question the opinion of the Chair. I have absolutely nothing to do, tonight—nothing. I can stay until the wee hours of the morning, but I am thinking of my colleagues on both sides of the House. I have no objection to the opinion of the Speaker.

Mr. McCORMACK. Mr. Speaker, if I had some assurance that this bill was going to be defeated on second reading, I would insist on my questions because I will not be here tomorrow probably. But inasmuch as Mr. Hamilton will not answer my last question, I think rather that he might be misinformed on a few points, and those points are what inspired him to introduce this bill in the first place. I thought perhaps I could enlighten him so that he would see the wisdom of this latter amendment. Inasmuch as he will not answer my question, I merely want to repeat what several Members from my side of the House have said, that it is a bad bill and it is certainly unreasonable to place these restrictions on a District Attorney who ran for office knowing full well that in addition to his work in the District Attorney's office, he could engage in outside activities.

I think these are severe restrictions. They are eminently unfair, and for that reason I ask that if you still like the bill, you vote for these latter amendments which would place restrictions on the succeeding candidates for District Attorney.

Mr. PAUL F. JONES. Mr. Speaker, I am not going to impose on your patience, but there have been remarks made on the floor of this House today that by innuendo and inference suggest that the District Attorney of Philadelphia is guilty either of malfeasance, misfeasance or nonfeasance.

I believe in all fairness he is entitled to the same trial as any other citizen. I do not think he should be tried in absentia. What we are doing here is virtually placing him on trial before the bar of public opinion without

his having the right to defend himself, and I believe that that is un-democratic and it is un-American.

I appeal to the patriotism of the Members of this House to lay aside their partisan feelings and to accord the District Attorney of Philadelphia County the same rights any other citizen is entitled to. If he is guilty of a charge, he has the right to face his accusers and to answer these charges. If the gentleman from Philadelphia has the wealth of information that he seems to suggest he has, I say this is not the proper forum to raise those questions, but they should have been raised in the courts of Philadephia and the District Attorney should be called upon to answer the charges.

Mr. ANDREWS. Mr. Speaker, the discussion so far I presume has been but a brief prologue, the introduction as it were to the script that we are supposed to consider tomorrow. If simply squaring away for this battle takes an hour and a half, I presume the gentleman from Philadelphia in presenting his documentary evidence designed to indict this malefactor from Philadelphia, will require at least two hours. There will be one hour of questioning and certainly an hour and a half of rebuttal, and where, oh where, will the truck bill come in? And where, oh where, will the tax bill come in? I am quite sure legislative reapportionment will take two hours—more or less. And so, there is no time like the present for disposing of this bill. Let the gentleman from Philadelphia shoot his wad, and be damned to them. They stand alone. Let him shatter this monster, that is improperly performing his functions. Let us know the obscene truth about this conspiracy. There is no time like the present if he has a case to present, the House in its wisdom can defeat this bill on recond reading. If it defeats the bill on second reading the gentleman will have been denied his chance to put on his show. So I would suggest if there is a show to put on, he put it on now.

On the question recurring.

Will the House agree to the amendment?

The yeas and nays were required by Mr. TOLL and Mr. McCORMACK.

A verification of the roll was requested by Messrs. TOLL, WILLIAMS and HERSCH.

The roll was verified and was as follows:

YEAS—90

Adam,	Harris,	McGee,	Schmidt,
Alexander,	Hersch,	McWherter,	Schuster,
Amarando,	Hoggard,	Mihm,	Schwartz,
Andrews,	Jenkins,	Mills,	Seyler,
Bazin,	Jim,	Monroe,	Smith, W. B.,
Boory,	Jones, Gran'le E.	Moran,	Snider,
Breth,	Jones, Paul F.,	Munley,	Stank,
Bucchin,	Kamyk,	Murray, J. J.,	Stone,
Capano,	Kolankiewicz,	Musto,	Taylor,
Cianfrani,	Kornick,	Needham,	Thomas,
Cioffi,	Kubacki,	Olsen,	Toll,
Comer,	Lederer,	Parlante,	Varallo,
Conner,	Leonard,	Peta,	Verona,
Coyle,	Leven,	Petrosky,	Wallace,
Dougherty,	Limper,	Pfaff,	Walsh
Downey,	Lopresti,	Polaski,	Wargo,
Fenrich,	Lovett,	Polen,	Welsh,
Filo,	Lutty,	Poltenstein,	Wheeler,
Floyd,	Maguire,	Readinger,	White,
Flynn,	McCann,	Rosen,	Whitenight,
Glick,	McCormack,	Rovansek,	Williams,
Guss,	McDermit,	Sarraf,	Yetzer,
Hamilton, R. K.,			Zeitz,

NAYS—97

Ashton,	Gibson,	Lippincott,	Stevenson,
Auker,	Gleason,	Mahan,	Stimmel,
Banker,	Goodling,	Markley,	Stoner,
Barkdoll,	Gramlich,	Mathews,	Strausser,
Baumunk,	Greenwood,	McCullough,	Sucher,
Bear,	Guthrie,	McInroy,	Thompson,
Blair,	Hall,	Mikula,	Tompkins,
Bolton,	Hamilton, W. H.,	Miller,	Toomey,
Bomberger,	Haudenshield,	Moody,	VanSant,
Bower,	Helm,	Moore,	Varner,
Breisch,	Hewitt,	Moscrip,	Vaughan,
Brown,	Hocker,	Murray, P. G.,	Wall,
Buchanan,	Ide,	Naugle,	Waterhouse,
Bullen,	Johnson,	Ogilvie,	Weidner,
Clapper,	Jones, Geo. E.,	Price,	Wescott,
Connelly,	Jones, T. H. W.,	Quisenberry,	Whalley,
Cooper,	Jump,	Ragot,	Willaredt,
Davis,	Keller,	Reagan,	Wilt,
Down,	Kent,	Richter,	Wood,
Dunn,	Kerlin,	Royer,	Worley,
Erb,	Kohl,	Rubin,	Yeakel,
Ewing,	Kratz,	Scott,	Young,
Ferster,	Kromer,	Shoemaker,	Ziegler,
Fleischman,	Leisey,	Spencer,	Smith, C. C., Speaker
Frost,			

NOT VOTING—20

Boles,	Flack,	Light,	Pettigrew,
Cochran,	Geer,	Maxwell,	Phillips,
Curwood,	Gutendorf,	Metz,	Reidenbach,
DuBois,	Kline,	Muldowney,	Shotwell,
Farabaugh,	Lafore,	Peifly,	Watkins,

So the question was determined in the negative and the amendment was not agreed to.

PARLIAMENTARY INQUIRY

Mr. McCORMACK. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Where a verification is necessary, how many Members of the House must verify whether or not a particular Member is present?

The SPEAKER. For the information of the gentleman, there is no specific number. One Member may challenge the vote, or challenge the statement of a Member that another Member was in the House and voted.

Mr. McCORMACK. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. LOPRESTI. I rise to a parlimentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LOPRESTI. Is there any particular manner in which the question of the constitutionality of a bill must be laid before the House?

The SPEAKER. For the information of the gentleman from Cambria, the question of constitutionality can be raised on the question, Will the House agree to the bill on Second Reading?

Mr. LOPRESTI. Must the question of constitutionality be raised in writing?

The SPEAKER. It may be raised either in writing or verbally.

Mr. ANDREWS. For the information of the gentleman from Cambria, I will tell him that it was my intention at the proper time to raise the question of the constitutionality of the bill, prior to the time the question came up, Will the House agree to the bill on second reading.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

The SPEAKER. Will the gentleman from Philadelphia,

Mr. Schwartz, withdraw his amendment to the title since his amendments to the sections were not agreed to?

Mr. SCHWARTZ. Yes, Mr. Speaker.

On the question recurring,

Will the House agree to the title?

It was agreed to.

On the question,

Will the House agree to the bill on second reading?

CONSTITUTIONAL POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a constitutional point of order.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, I raise the question of the unconstitutionality of this bill. That presents a matter to be decided on the basis of principle, and not with any partisan reference. You are creating a precedent when you rule on the constitutionality of a bill.

Mr. Speaker, I raise the question of the unconstitutionality of this bill and ask for a roll call. Of course if there are any Members who feel they desire to debate the question as to whether it is constitutional or unconstitutional, I presume that they are privileged to do so.

The SPEAKER. The gentleman is correct. That question is debatable under the Rules of the House.

The gentleman from Cambria, Mr. Andrews, raises the constitutional point of order that House Bill 880, Printer's No. 420 is unconstitutional.

The Speaker under Rule 4 is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the Constitutional point of order?

Mr. LOPRESTI. Mr. Speaker, twice before this afternoon the particular constitutional provision has been read, and therefore there would be no reason to read it again.

There is no question, I believe, in the mind of any lawyer sitting on this side of the House, nor in the mind of any lawyer sitting on the other side of the House, as to the constitutionality of the Section which attempts to increase the salary of a District Attorney.

I do not believe any one in good conscience who is learned in the law would have any doubt as to the unconstitutionality of that particular Section.

As to whether the entire bill is constitutional or not, I also have great doubts. I think the Supreme Court would be bound to so hold inasmuch as this bill places additional restrictions on the District Attorney which were not present at the time he was elected.

The bill also contains an attempt to increase his salary to compensate him for what he has lost by reason of what we take from him. Therefore the provisions of this bill are inseparable, so that if one provision is unconstitutional the entire bill will be unconstitutional.

I believe all the sections are related to this extent. The bill says to the District Attorney of Philadelphia, you must devote your full time, you must give up any other forms of income, you must give up any forms of private practice and all other ways of earning money. If you do as we have said you must do, we will increase your salary to $18,000.

I believe the entire bill must be read as a whole, that you cannot separate the sections and since we have one section which undoubtedly and unquestionably is unconstitutional, the entire bill is unconstitutional.

I say to all the members of this House, if they recognize the fact that it is unconstitutional, then it becomes their sworn duty to disregard politics. It becomes our sworn duty because each and everyone of us took an oath when we entered the positions we now hold to uphold the Constitution and to live up to it.

Therefore I say it is a matter of conscience with all of us, especially those of us who are lawyers, to recognize the unconstitutionality of this bill. In order to support the oath we took, we must vote against the constitutionality of this bill.

Mr. ANDREWS. I simply call the attention of the Members of the House to this fact: you will find in the Pennsylvania Manual a list of the decisions reached by this House which constitute precedents. It would be very unfortunate if we wrote into the structure of the precedents of this House a decision regarding the constitutionality of a bill which would be abhorrent to every judge and every experienced lawyer in this Commonwealth. We are not now dealing with a partisan issue or a Philadelphia issue, we are handing to the future a decision which will constitute a precedent.

Mr. SCHWARTZ. Mr. Speaker, I think we could go further than Mr. Lopresti's statement when he said that all the sections of this bill relate to all other sections and therefore if one section fails all sections must fail.

In itself, that was a good argument, but I think if we refer to the Constitution itself, we will find the answer to whether or not the other sections of the bill—forgetting for the moment the increase in salary—are also unconstitutional.

The Constitution says that no law shall extend the term of any public officer or increase or diminish his salary or emoluments after his election or appointment. I say to you, Members of this House, if salary and emoluments are one and the same thing, there is no reason for having both words in the Constitution. I, therefore, come to the conclusion that emoluments mean something other than a salary.

That leads me to the further conclusion that one of the emoluments that the present District Attorney of the city of Philadelphia has is the fact that he has the right to engage in private practice, and the moment we diminish that right, we are diminishing his emoluments.

I, therefore, say that the entire bill must be unconstitutional.

Mr. McCORMACK. Mr. Speaker, in addition to what the gentleman from Cambria, Mr. Lopresti, said about the various sections being inextricably bound together and so related that if one section fell because it was unconstitutional, they would all fall, I think that for an even stronger reason, the whole bill would be unconstitutional if any particular section was so declared to be by the courts, inasmuch as this bill has no severance clause in it—a severance clause being a clause which says in effect that if the court should declare one section unconstitutional, the remainder of the bill could still be constitutional.

PARLIAMENTARY INQUIRY

Mr. McCORMACK. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Assuming that the majority votes that the bill is unconstitutional, do we then vote on the bill in spite of the fact that we have so held it to be unconstitutional?

The SPEAKER. If the bill is declared by the Members of this House to be unconstitutional, the bill falls.

Mr. McCORMACK. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. ZEITZ. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZEITZ. Mr. Speaker, am I to understand from the answer to the preceding speaker that this House may determine the question of the constitutionality of any legislation that is before the House?

The SPEAKER. The gentleman is correct in that assumption.

Mr. TOMPKINS. Mr. Speaker, the issue has been raised as to whether or not if one section of a bill is declared unconstitutional, the whole bill falls.

I would like to call the attention of the Members of the House to the Statutory Construction Act which provides that if one section of any piece of legislation should be declared unconstitutional, it does not vitiate the balance of the bill.

Mr. READINGER. Mr. Speaker, I cannot resist getting into this constitutional argument because the people back home may think I am not a great constitutional lawyer, and I would not want them to think that.

I would like to suggest that if you men on the majority side vote to uphold the constitutionality of this particular bill, you are probably solving all of your own tax probelms; for if you can vote to uphold the constitutionality of this bill, I see no reason why you should not unanimously, on your side, vote to support the Royer bill imposing a flat tax on your federal income tax, because that bill is just about as constitutional as is this one.

Mr. McCORMACK. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. TOMPKINS. Mr. Speaker, I shall.

Mr. McCORMACK. Mr. Speaker, does the gentleman from Cameron give that information with respect to the Statutory Construction Act for my edification, or does he believe that a particular segment of this bill is unconstitutional, he being a constitutional lawyer?

Mr. TOMPKINS. Mr. Speaker, that was for the information and benefit of the Members of the entire House.

Mr. McCORMACK. Another question, Mr. Speaker. Does the gentleman from Cameron believe that any particular section of this bill is unconstitutional?

Mr. TOMPKINS. Mr. Speaker, I know that I sat in this House for the last four sessions, and we have passed judges' salary raises which the courts said were constitutional, and they were paid the following month.

Mr. McCORMACK. Mr. Speaker, am I to assume then that the gentleman from Cameron does not think that any section of this bill is unconstitutional?

Mr. TOMPKINS. Mr. Speaker, I say the bill is what the courts say it is.

Mr. SCHWARTZ. Mr. Speaker, I would like to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. Mr. Speaker, I shall.

Mr. SCHWARTZ. Mr. Speaker, I would like to ask the gentleman whether he listened to the statement I made about diminishing the emoluments of the office as well as the salary.

Mr. TOMPKINS. I did, Mr. Speaker.

Mr. SCHWARTZ. Mr. Speaker, I would like to ask the gentleman whether he thinks the fact that the District Attorney would be prohibited from engaging in private practice would diminish his emoluments in office.

Mr. TOMPKINS. Mr. Speaker, in my opinion, no, because that is not an emolument of the District Attorney's office.

Mr. SCHWARTZ. Well, what would the gentleman consider the emoluments of the District Attorney's office to be, other than the salary?

Mr. TOMPKINS. All those things which are dervived from the office itself and not anything else.

Mr. SCHWARTZ. What other things would the gentleman call the emoluments, specifically?

Mr. TOMPKINS. Well, he is allowed office expense; he is allowed stenographic services and matters of that kind which constitute emoluments of the office—supplies and what have you.

Mr. SCHWARTZ. I would like to ask the gentleman whether he is familiar with the attempt in the previous Session to increase the salaries of the County Commissioners and the opinion rendered by the Supreme Court after that attempt by this House?

Mr. TOMPKINS. That specific case, I am not.

Mr. SCHWARTZ. The gentleman seemed to be familiar with the case of the judges, and I thought I would bring the other case to his attention.

I would like to ask the gentleman a further question. Is it not true that it is up to the House at this particular moment to decide the constitutionality of his bill and not for the courts at some later date? Is that not the question before us at this moment?

Mr. TOMPKINS. The question before the House is on the constitutionality of the bill. The courts are not bound by any decision we make here. The question is whether or not in our opinion we think it is constitutional. We might think it is constitutional, and the courts say "No." We might think it not constitutional, and the courts say "Yes." We have passed much legislation in this house that I have seen declared unconstitutional by the courts later on.

Mr. SCHWARTZ. The gentleman seems to be fairly conversant with constitutional questions and constitutional law. He has so expressed himself, especially in speaking of the Construction Act. I would like to ask the gentleman whether in his opinion this bill and all the sections of this bill are constitutional, a "Yes" or "No" answer, Mr. Speaker.

Mr. TOMPKINS. I would say, yes.

PARLIAMENTARY INQUIRY

Mr. ZEITZ. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZEITZ. Mr. Speaker, is there any way that this House could summon, for the purpose of determining the constitutionality of this bill, the Attorney General to the Floor of the House for an opinion on the constitutionality of this legislation?

The SPEAKER. The answer is, no. The Attorney General is not the advisor to this House, but the advisor to the Governor of the Commonwealth of Pennsylvania.

Mr. ZEITZ. Thank you, Mr. Speaker.

Mr. PAUL F. JONES. Mr. Speaker, I request the privilege of addressing a question to the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. PAUL F. JONES. Mr. Speaker, is the gentleman familiar with the decision in the so-called Scranton case?

Mr. TOMPKINS. I am not, no sir, Mr. Speaker.

Mr. PAUL F. JONES. Then it would hardly be fair to address the question to the gentleman if he is not familiar with the decision. I thought perhaps if I suggested it to you, it would contain the possible answer to our problem here this afternoon. I think it covers the particular question raised.

Mr. TOLL. Mr. Speaker, I would like to call the attention of the House to another section of the Constitution which may affect this bill.

In the first place, let me inform you that this bill is directed against the District Attorney of Philadelphia and not against the District Attorneys of cities of the first class, so that in that respect this seems to apply specifically to one individual and violates the constitution by reason of being special legislation.

In the second place, let me call your attention to Section 7 of Article III of the Constitution, which you will find on page 36 of your manual, which provides that the,

> General Assembly shall not pass any local or special law authorizing the creation, extension, or impairing of liens:
> Regulating the affairs of counties . . .
> Changing the names of persons or places:

And down in the middle it says,

> Creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts.

If you will look at Section I of this bill, you will see how far this bill has gone in prescribing the powers and duties of the District Attorney of Philadelphia, even though it should have said cities of the first class.

"The District Attorney shall devote his entire time to the duties of his office." Up until now the Members of the House have debated as to whether he is entitled to engage in other professional activities, but the language of the amendment to Section 1 of this bill is more sweeping than that. The sponsor has said that he shall not directly or indirectly engage in any other business, profession, or occupation in any capacity. In other words, the District Attorney of Philadelphia cannot only not practice law on the outside, he cannot directly or indirectly do anything else.

I contend that Section 1 of this bill, aside from the unconstitutionality of Section 3, is unconstitutional because it violates Article III, Section 7 of the Constitution.

Mr. WILBUR H.HAMILTON. Mr. Speaker, I am an ordinary layman. I had no idea that the eminent lawyers who are Members of this House were going to delve so deeply into the constitutionality of this bill. However, an honest difference of opinion is healthful and constructive.

The gentleman who just spoke, Mr. Toll from Philadelphia, is familiar with the Home Rule City Charter. Since the adoption of the Home Rule City Charter it is no longer necessary in the title of any act to refer to the cities and counties of the first class. The City of Philadelphia is sufficient. I was advised on that question by a very distinguished constitutional lawyer, the same as I received advice on the entire content of this bill. But who am I to differ with the opinions of men who are so learned in the law and can refer to text book after text book, the Manual and every other kind of legal document?

There was a recent case before the Supreme Court, argued here in Harrisburg, pertaining to a very important matter in which the city of Philadelphia was involved. The most outstanding lawyers thought the bill was unconstitutional. The Supreme Court decided it was constitutional, much to the regret of many citizens in the city of Philadelphia.

I presume this bill is in the same category. The only way we will know whether or not it is unconstitutional is to pass it. And if the Senate passes it and His Excellency, the Governor, signs it, I have no doubt that those who are vitally interested in the office of the District Attorney of Philadelphia and also the individual will test the constitutionality of this bill. I hope the Members of this House will vote that it is constitutional.

Mr. McCORMACK. Mr. Speaker, I desire to interrogate further the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, is the gentleman from Cameron aware of the constitutional provision with respect to ex post facto laws?

Mr. TOMPKINS. Mr. Speaker, I am.

Mr. McCORMACK. Mr. Speaker, in Section 2 of this bill it provides that the District Attorney shall no longer continue to hold office if he violates this bill. I would desire to ask the gentleman from Cameron whether or not this is a penal provision.

Mr. TOMPKINS. Mr. Speaker, what has that to do with ex post facto?

Mr. McCORMACK. Mr. Speaker, answer my question.

Mr. TOMPKINS. Mr. Speaker, the gentleman asked me about ex post facto, and so far as it's being ex post facto is concerned, no.

Mr. McCORMACK. Mr. Speaker, the second question is not in relation to my first question. Is that a penal provision?

Mr. TOMPKINS. Mr. Speaker, it is not written as such. It merely provides what shall happen to the man if he should violate the provisions of the bill.

Mr. McCORMACK. Mr. Speaker, is it a penal provision?

Mr. TOMPKINS. Mr. Speaker, I would say no, not in the sense of being, as I understand it, a penal provision.

Mr. McCORMACK. Mr. Speaker, where a man is elected to office after which a law is passed which would say that if he violated the law he would no longer hold the elected office, I think that is penal. And if it is penal, then I think in my humble opinion it violates the ex post facto provision of the Constitution, and it is unconstitutional. It is denial of due process.

Mr. TOMPKINS. Mr. Speaker, I would look upon that provision as being a disqualification from further right to hold office, not a penal provision.

PARLIAMENTARY INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Are we voting on the constitutionality of the bill? If I am correct, I believe that is right and not the amendment. The amendment did pass, did it not, the amendment to the fourth section?

The SPEAKER. For the information of the gentleman, we are now voting on the constitutional point of order that the bill is unconstitutional. The amendment to the fourth section was defeated.

Mr. AUKER. Thank you, Mr. Speaker.

On the question recurring,

Will the House sustain the Constitutional point of order?

The yeas and nays were required by Mr. ANDREWS and Mr. TOLL.

A verification of the roll was requested by Mr. ROSEN, Mr. HARRIS and Mr. GLICK.

The roll was verified and was as follows:

YEAS—90

Adam,	Hersch,	McWherter,	Schmidt,
Alexander,	Hoggard,	Mihm,	Schuster,
Amarando,	Jenkins,	Mills,	Schwartz,
Andrews,	Jim,	Monroe,	Seyler,
Bazin,	Jones, Gran'le E.,	Moran,	Smith, W. B.,
Boory,	Jones, Paul F.,	Muldowney,	Snider,
Breth,	Kamyk,	Munley,	Stank,
Bucchin,	Kolankiewicz,	Murray, J. J.,	Stone,
Capano,	Kornick,	Musto,	Taylor,
Cianfrani,	Kubacki,	Needham,	Thomas,
Cioffi,	Lederer,	Olsen,	Toll,
Comer,	Leonard,	Parlante,	Varallo,
Conner,	Leven,	Peta,	Verona,
Coyle,	Limper,	Petrosky,	Wallace,
Dougherty,	Lopresti,	Pfaff,	Walsh,
Downey,	Lovett,	Polaski,	Wargo,
Fenrich,	Lutty,	Polen,	Welsh,
Filo,	Maguire,	Poltenstein,	Wheeler,
Flynn,	McCann,	Readinger,	White,
Glick,	McCormack,	Rosen,	Whitenight,
Guss,	McDermit,	Rovansek,	Williams,
Hamilton, R. K.,	McGee,	Sarraf,	Yetzer,
Harris,			Zeitz,

NAYS—96

Ashton,	Gibson,	Mahan,	Stevenson,
Auker,	Gleason,	Markley,	Stimmel,
Banker,	Goodling,	Mathews,	Stoner,
Barkdoll,	Gramlich,	McCullough,	Strausser,
Baumunk,	Greenwood,	McInroy,	Sucher,
Bear,	Guthrie,	Mikula,	Thompson,
Blair,	Hall,	Miller,	Tompkins,
Bolton,	Hamilton, W. H.,	Moody,	Toomey,
Bomberger,	Haudenshield,	Moore,	VanSant,
Bower,	Helm,	Moscrip,	Varner,
Breisch,	Hewitt,	Murray, P. G.,	Vaughan,
Brown,	Hocker,	Naugle,	Wall,
Buchanan,	Ide,	Ogilvie,	Waterhouse,
Bullen,	Johnson,	Price,	Weidner,
Clapper,	Jones, Geo. E.,	Quisenberry,	Wescott,
Cooper,	Jones, T. H. W.,	Ragot,	Whalley,
Davis,	Jump,	Reagan,	Willaredt,
Down,	Keller,	Richter,	Wilt,
Dunn,	Kerlin,	Royer,	Wood,
Erb,	Kohl,	Rubin,	Worley,
Ewing,	Kratz,	Scott,	Yeakel,
Ferster,	Kromer,	Shoemaker,	Young,
Fleischman,	Leisey,	Shotwell,	Ziegler,
Frost,	Lippincott,	Spencer,	Smith, C. C., Speaker

NOT VOTING—21

Boles,	Flack,	Kline,	Peifly,
Cochran,	Floyd,	Lafore,	Pettigrew,
Connelly,	Geer,	Light,	Phillips,
Curwood,	Gutendorf,	Maxwell,	Reidenbach,
DuBois,	Kent,	Metz,	Watkins,
Farabaugh,			

So the question was determined in the negative and the Constitutional point of order was not sustained.

On the question recurring,

Will the House agree to the bill on second reading?

The yeas and nays were required by Mr. HERSCH and Mr. McGEE and were as follows:

YEAS—96

Ashton,	Gleason,	Markley,	Stimmel,
Auker,	Gramlich,	Mathews,	Stoner,
Banker,	Greenwood,	McCullough,	Strausser,
Barkdoll,	Guthrie,	McInroy,	Sucher,
Baumunk,	Hall,	Mikula,	Thompson,
Bear,	Hamilton, W. H.,	Miller,	Tompkins,
Blair,	Haudenshield,	Moody,	Toomey,
Bolton,	Helm,	Moore,	VanSant,
Bomberger,	Hewitt,	Moscrip,	Varner,
Bower,	Hocker,	Murray, P. G.,	Vaughan,
Breisch,	Ide,	Naugle,	Wall,
Brown,	Johnson,	Ogilvie,	Waterhouse,
Buchanan,	Jones, Geo. E.,	Price,	Weidner,
Bullen,	Jones, T. H. W.,	Quisenberry,	Wescott,
Clapper,	Jump,	Ragot,	Whalley,
Cooper,	Keller,	Reagan,	Willaredt,
Davis,	Kent,	Richter,	Wilt,
Down,	Kerlin,	Royer,	Wood,
Dunn,	Kohl,	Rubin,	Worley,
Erb,	Kratz,	Scott.	Yeakel,
Ewing,	Kromer,	Shoemaker,	Young,
Ferster,	Leisey,	Shotwell,	Ziegler,
Fleischman,	Lippincott,	Spencer,	Smith, C. C., Speaker
Frost,	Mahan,	Stevenson,	
Gibson,			

NAYS—86

Adam,	Hersch,	McGee,	Schmidt,
Alexander,	Hoggard,	McWherter,	Schuster,
Amarando,	Jenkins,	Mihm,	Schwartz,
Andrews,	Jim,	Mills,	Seyler,
Bazin,	Jones, Gran'le E.	Monroe,	Smith, W. B.,
Boory,	Jones, Paul F.,	Moran,	Snider,
Breth,	Kamyk,	Munley,	Stank,
Bucchin,	Kolankiewicz,	Murray, J. J.,	Stone,
Capano,	Kornick,	Musto,	Taylor,
Cianfrani,	Kubacki,	Needham,	Thomas,
Cioffi,	Lederer,	Olsen,	Toll,
Conner,	Leonard,	Parlante,	Varallo,
Coyle,	Leven,	Petrosky,	Verona,
Dougherty,	Limper,	Pfaff,	Wallace,
Downey,	Lopresti,	Polaski,	Walsh
Farabaugh,	Lovett,	Polen,	Wargo,
Filo,	Lutty,	Poltenstein,	Welsh,
Flynn,	Maguire,	Readinger,	White,
Glick,	McCann,	Rosen,	Whitenight,
Guss,	McCormack,	Rovansek,	Williams,
Hamilton, R. K.,	McDermit,	Sarraf,	Yetzer,
Harris,			Zeitz,

NOT VOTING—25

Boles,	Flack,	Lafore,	Peta,
Cochran,	Floyd,	Light,	Pettigrew,
Comer,	Geer,	Maxwell,	Phillips,
Connelly,	Goodling,	Metz,	Reidenbach,

Curwood,	Gutendorf,	Muldowney,	Watkins,
DuBois,	Kline,	Petfly,	Wheeler,
Fenrich,			

So the question was determined in the affirmative and the bill was agreed to on second reading.

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS HOUSE

Mr. WEIDNER asked and obtained unanimous consent to address the House.

Mr. Speaker, it is my desire to call up House Bill 1140, Printer's No. 354, to which I want to present several correctional and non-controversial amendments.

However, due to the fact that other Members want to present amendments to this bill. but which are not prepared at this time, and out of all fairness to everybody concerned, it has been agreed that House Bill 1140 be passed on second reading today as amended, and allow other amendments to be presented on third reading tomorrow.

Mr. MORAN. Mr. Speaker, did I understand we will be permitted to offer amendments to this bill on third reading?

The SPEAKER. The Chair understands from the statement of the gentleman from Berks that that is correct.

Mr. MORAN. Thank you, Mr. Speaker.

BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. WEIDNER.

The House resumed the consideration on second reading of House Bill No. 1140, entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

The first section was read.

On the question,

Will the House agree to the section?

Mr. WEIDNER offered the following amendments:

Amend Sec. 1, page 19, line 19, by striking out "Hampfield" and inserting in lieu thereof "Hempfield."

Amend Sec. 1, page 23, line 8, by inserting after "Mount Carbon" "New Philadelphia."

Amend Sec. 1, page 26, line 7, by striking out "Cross Road" and inserting in lieu thereof "Cross Roads".

Mr. POLEN offered the following amendments:

Amend Sec. 1, page 24, line 10, by striking out "Amwell."

Amend Sec. 1, page 24, line 13, by striking out "Peters".

Mr. VAUGHAN offered the following amendments:

Amend Sec. 1, page 7, line 17, by striking out the word "and" where it appears the first time.

Amend Sec. 1, page 7, lines 17, 18 and 19, by striking out "and the town-" in line 17, all of lines 18 and 19.

Amend Sec. 1, page 8, line 1, by striking out "The boroughs of"

Amend Sec. 1, page 8, line 5, by inserting after the word "of" the following: "Penn, Plum, Patton, Wilkins."

Amend Sec. 1, page 8, line 6, by striking out the word "eighteenth" and inserting in lieu thereof: "seventeenth."

Amend Sec. 1, page 8, line 6, by striking out the word "two" and inserting in lieu thereof: "four."

Amend Sec. 1, page 8, line 15, by striking out the word "nineteenth" and inserting in lieu thereof: "eighteenth."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON CALENDAR PASSED OVER

The SPEAKER. Without objection, the Chair will pass over all of the remaining bills on today's calendar. The Chair hears none, and the bills are passed over.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 6, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 13, 1953 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, July 13, 1953 at 1:00 p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 204.

An Act to amend Section 2 of the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by giving juvenile courts jurisdiction during vacation.

HOUSE BILL No. 414.

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provided an adsectum judgment index and fixing the fees of the prothonotaries therefor.

HOUSE BILL No. 821.

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions

HOUSE BILL No. 1059.

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

HOUSE BILL No. 1184.

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of service for policemen.

HOUSE BILL No. 1208.

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

HOUSE BILL No. 1209.

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payments by counties

HOUSE BILL No. 1351.

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases.

HOUSE BILL No. 1352.

An Act to further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collecton; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by limiting review of tax returns and imposition of additional taxes in certain cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 63.

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks.

SENATE BILL No. 216.

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provsions of the act, and changing the date on which the period of redemption commences to run on tax claims.

SENATE BILL No. 217.

An Act to repeal the act, approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps are filed within a certain time; and imposing duties and conferring powers on recorders of deeds," and all acts amending the same, and validating zoning ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law.

SENATE BILL No. 218.

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file

copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

SENATE BILL No. 228.

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

SENATE BILL No. 258.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates.

SENATE BILL No. 259.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

SENATE BILL No. 260.

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances.

SENATE BILL No. 282.

An Act to further amend Section 607 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled, as amended, "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making and appropriation; and providing for refunds," by limiting the use of tractors of the second class.

SENATE BILL No. 322.

An Act to amend the title and sections 1 and 2 of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof," by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses.

SENATE BILL No. 323.

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments prior to and after the establishment of the permanent record system required by law

SENATE BILL No. 324.

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers.

SENATE BILL No. 325.

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination

of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

SENATE BILL No. 349.

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies.

SENATE BILL No. 525.

An Act to amend the title and subsection (h) of section 2 of the act, approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing for protection against radiation.

SENATE BILL No. 535.

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the liens of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divesticure by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor, creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commisioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims, giving of notice, claims becoming absolute, filing of exceptions and the holding of sales and changing the manner of distributing certain payments

SENATE BILL No. 563.

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

SENATE BILL No. 589.

An Act to further amend Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" by increasing fees to be charged.

SENATE BILL No. 597.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by extending the benefits to certain authorities created by such cities.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. DAVIS from the Committee on Law and Order, reported as committed, House Bill No. 1480, entitled:

An Act to amend section four hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any person undergoing imprisonment to participate in any riot, rout, assembly or affray, and fixing the penalty therefor.

Mr. DAVIS from the Committee on Law and Order, reported as committed, House Bill No. 1481, entitled:

An Act to add section seven hundred ten point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any person sentenced for any term of years to commit an assault by any means likely to produce great bodily injury, and fixing the penalty therefor.

COMMITTEE MEETINGS

CITIES—COUNTIES FIRST, SECOND and SECOND CLASS A—Mr. Ewing, Chairman, Room 521, Wednesday, July 8, at 11:30 a. m. DST.

EDUCATION—Mr. Helm, Chairman, Room 324, Wednesday, July 8, at 10:30 a. m. DST.

ELECTIONS and APPORTIONMENT—Mr. Weidner, Chairman, Room 329, Wednesday, July 8, at 10:30 a. m. DST.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Wednesday, July 8, at 10:00 a. m. DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Wednesday, July 8, at 9:00 a. m. DST.

PUBLIC HEALTH and SANITATION—Mr. Frost, Chairman, Room 329, Wednesday, July 8, at 11:00 a. m. DST.

WELFARE—Mr. Haudenshield, Chairman, Room 330, Wednesday, July 8, at 11:00 a. m. DST.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Schwartz.

Mr. SCHWARTZ. Mr. Speaker, if I heard correctly Mr. Speaker, there are two Committee meetings at the same time, and I know that there are a number of Members on both Committees, that is Municipal Corporations and Motor Vehicles, both scheduled for 10:00 o'clock tomorrow morning. I was just wondering if there is something that could be done about that. It has happened before.

Mr. KENT. The Committee on Municipal Corporations has changed the time of its Committee meeting from 10:00 o'clock a. m. to 9:00 a. m.

Mr. LOVETT. Mr. Speaker, I noticed that there were a lot of other meetings at the same time on that list, two or three of them at the same time.

Mr. KENT. Mr. Speaker, that is true and there have been practically every week, different meetings at the same time. It is practically an impossibility to schedule as many meetings as there are scheduled for tomorrow and as have been scheduled in past weeks, all at different times.

We try to keep them at different times, as nearly as possible, but as I say, it is very difficult.

If the gentleman objects I will try to make a further effort.

Mr. LOVETT. Mr. Speaker, I do not object to the statement of the gentleman that it is almost impossible when you are having so many meetings in one day, but I will not agree with him that that has been the case during this Session of the Legislature. We have had days when there were no meetings at all.

ADJOURNMENT

Mrs. VARALLO. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 8, 1953 at 11:00 a. m. EST.

The motion was agreed to, and (at 6:05 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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Session 1953. 140th of the General Assembly.

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SENATE

WEDNESDAY, July 8, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDING OFFICER (John M. Walker) in the Chair.

PRAYER

The Chaplain, Rev. PHILIP SENFT, Pastor of Trinity Evangelical and Reformed Church, Everett, offered the following prayer:

Our God of the ages, who in Christ proclaimed that the first law of life was that he who loves his life in service to His will shall find life, dedicate anew this Senate to Thy service.

From the revealed Scriptures we learn that little distinction is made between the lawgiver and the minister of the souls of men. They alike gain their prerogatives from the intention to learn, believe and do divine bidding. Then, let this body be willing to be not only the balance wheel of government, but the power head as well.

In Christ, Governor of all men, we pray, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WOLFE, further reading was dispensed with, and the Journal was approved.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Jos. A. McDonald, R. D. 2, Polk, Venango County, for appointment as Justice of the Peace in and for the Township of Victory, Venango County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WOLFE. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on July 8, 1953.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate fofr the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute frfom the date of confirmation:

ALLEGHENY COUNTY

Edward X. Foster, Duquesne.
Gordon L. Grubbs, 1420 North Negley Ave., Pittsburgh (6).
Thomas C. Madden, 35th and Smallman St., Pittsburgh (1).

BEAVER COUNTY

Regis J. Ganley, Beaver Falls.

BERKS COUNTY

Miss Virginia K. Eich, Reading.
Archie H. Webster, Kenhorst, Reading.

CAMBRIA COUNTY

Mrs. Hazel B. Gibb, Spangler.

DAUPHIN COUNTY

Frank G. Robison, Harrisburg.
Domenic A. Mattioli, Radnor Township, Rosemont.
Miss Katharine H. Steiger, Glenolden.

PHILADELPHIA COUNTY

Robert Dyer, 205 E. Tioga St., Phila. (34).
Frank J. Donatucci, 2737 S. Colorado St., Phila.

JOHN S. FINE.

A motion was made by Mr. WOLFE and Mr. WOOD,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Watkins,
Chapman,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Walker,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 528

The Clerk of the House of Representatives being introduced, informed the Senate that the House recedes from its amendments non-concurred in by the Senate to Senate Bill No. 528, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring permits and home-workers' certificates and prescribing the fees therefor conferring powers and imposinug duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, July 7, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 13, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, July 13, 1953 at 1:00 p. m., E. S. T.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 435

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 435

Mr. MAHANY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 435, and that a Committee of Conference on the part of the Senate be appointed.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 435

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. STEVENSON, MALLERY and BANE, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 435.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 514

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

AMENDMENT TO HOUSE BILL No. 1152, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds in certain cases to report transfers of property to supervisors of townships of the second class

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third

reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 155, entitled:

An Act to further amend Clause (f) of Section 448 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administravie officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the membership of the Advisory Health Board to include one doctor of osteopathy and one doctor of optometry.

Which was committed to the Committee on State Govment.

House Bill No. 894, entitled:

An Act to amend Section 316 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and corporations may exercise their powers, providing for the shareholders; prescribing the conditions on which such inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing a corporation by action of its board of directors to grant pensions, allowances and stock options to its officers and other employees under certain circumstances and validating pensions, allowances and stock options heretofore granted.

Which was committed to the Committee on Corporations.

House Bill No. 1401, entitled:

An Act authorizing corporations to grant stock options pensions and allowances under certain circumstances and validating stock options pensions and allowances heretofore granted

Which was committed to the Committee on Corporations.

SENATE BILL No. 543, RETURNED WITH AMENDMENTS

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. McPHERSON, Jr., from the Committee on State Government, reported as committed House Bill No. 35, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler, Commonwealth of Pennsylvania, known as the Veterans Administration Hospital, and ceding jurisdiction to the United States.

He also, on behalf of Senator Weiner, from the Committee on State Government, reported as committed, Senate Bill No. 752, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments, boards and commissions.

He also, on behalf of Senate Weiner, from the Committee on State Government, reported as committed Senate Bill No. 753, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth

and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the written aproval of the comptroller of requisitions for money appropriated to State departments, boards or commissions.

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 1424, entltled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

BILLS INTRODUCED AND REFERRED

Mr. PEELOR (By request) read in his place and presented to the Chair Senate Bill No. 762, entitled:

An Act authorizing and empowering the Superior Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Superior Court of Pennsylvania.

Which was committed the Committe on Judiciary General.

Mr. DIEHM read in his place and presented to the Chair Senate Bill No. 763, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Millersville State Teachers' College, to acquire a tract of land for the use of Millersville State Teachers' College; and making an appropriation therefor.

Which was committed to the Committee on State Government.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 764, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subponeas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by excluding employers, employes and labor organizations that are members of or who support the Communist party or similar organization from obtaining the benefits and protection of this act; increasing the salaries of board members; further regulating the procedure for prosecution of unfair labor practices; providing new remedies for certain employes and altering the provisions relating to the time for filing and hearing of charges arising under the provisions of the act.

Which was committed to the Committee on Labor and Industry.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 765, entitled:

An Act to amend Section 4353 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by prohibiting persons employed by authorities from receiving pensions from a city pension fund.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 766, entitled:

An Act providing for an accelerated course of training for student nurses in certain emergency areas; imposing duties on the Secretary of Welfare and making an appropriation.

Which was committed to the Committee on Education.

Mr. TOOLE read in place and presented to the Chair Senate Bill No. 767, entitled:

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating, and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food, the fees of club licensees, and the restriction on sales by licensees during certain hours and on certain days.

Which was committed to the Committee on Law and Order.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 768, entitled:

An Act to repeal Section 1 of the act, approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 558), entitled "An act fixing the fees of the recorder of deeds in counties of the fifth class."

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, many years ago Mark Twain became famous because he made the remark that Everybody talks about the weather and no one does anything about it. For many, many years we have talked a great deal about speeding and speeders. Although we cannot say that no one has done anything about it, we have not done too much about it.

Mr. President, on behalf of Senator Mahany, Senator McMenamin, Senator Pechan and myself, I am about to introduce a piece of legislation that is probably the first bill of its kind to be presented to any legislative body in the United States. This bill has to do with speeding on our public roads.

Mr. President, not too long ago, Senator Pechan and I introduced a bill calling upon the automobile manufacturers to take heed or we would try to get legislation through to control the excessive power of the present day automobiles. Since that time, I have had many conversations with my colleagues in the Senate on both sides, and have taken up with the Governor of the Commonwealth and the Safety Committee of the Commonwealth, the proposition of putting upon the automobiles of Pennsylvania a mechanical device. The aim of this mechanical device is to control the speed of an automobile driven by a violator of the Highway Code. Under the present Highway Code, if a person is apprehended for exceeding the speed limit, he or she automatically loses the driving privilege for a period of anywhere from three months to a year.

Mr. President, all of the Members of the Senate realize what a great hardship this law has caused on the part of those who earn a livelihood with the use of their driving privileges. Many of us have been called upon to appeal to the Highway Safety Board for a restricted license, in order that wage earners or breadwinners would be able to drive their automobiles and trucks for the purpose of earning a living. When I have had to ask for these special privileges, I have always felt that I was not doing a justice to the rest of the citizens of the Commonwealth whose lives are jeopardized by reckless drivers.

Therefore, Mr. President, we have conceived a plan whereby the Pennsylvania Highway Safety Council, the Pennsylvania State Police and the Department of Revenue will be able to enforce the provisions of this act, which are simply this. When a person is apprehended for driving at an excessive speed, they may take the person's license from him, or they may allow him to have placed upon his carburetor a mechanical device which will be locked by the State Police at a specific speed limit for a period of time to be designated by the Safety Council, thereby taking from the road the menace of a reckless drivers.

Mr. President, many persons are apprehended for driving beyond the speed limit who do not intend to be reckless drivers. I say that it is difficult to drive in a modern day car at the set speed limit when you have before you a wide expanse of road and little or no traffice before or behind you. The automobile of today is a vehicle of great power. It can be a vehicle of great convenience, but it has also developed into a vehicle of great danger. It has killed more people than all of the wars of these United States put together. There is more injury and more damage caused by these speeding automobiles than all of the shells that have ever been developed in the minds of the munitions makers.

Therefore, Mr. President, with a sincere hope that the committee will give this bill an early and rapid consideration, I present to the Chair this far-reaching legislation and hope that we will be able to pass it at an early date.

BILLS INTRODUCED AND REFERRED

Messrs. DENT, MAHANY, PECHAN and McMENAMIN read in place and presented to the Chair Senate Bill 769, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prescribing additional enforcement and penal provisions.

Which was committed to the Committee on Highways.

Messrs. HOLLAND, TAYLOR and DENT read in place and presented to the Chair Senate Bill No. 770, entitled:

An Act charging the Pennsylvania Turnpike Commission with the responsibility of policing the roads under its control and management; conferring powers and imposing duties on the Pennsylvania Turnpike Commission and the Pennsylvania State Police.

Which was committed to the Committee on Highways.

REPORT FROM COMMITTEE

Mr. TOOLE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TOOLE, from the Committee on Law and Order, reported as committed Senate Bill No. 478, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcohol liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license

fees to the respective municipalities and townships, for the abatment of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by requiring a service charge to be collected on bottled wine purchased by the board.

PERMISSION TO ADDRESS SENATE

Mr. LEADER asked and obtained unanimous consent to address the Senate.

Mr. LEADER. Mr. President, I am introducing this resolution because I have detected a growing apprehension and uneasiness among people from all walks of life in Pennsylvania that the financial policies being followed by the present administration in Washington might very well turn the Democratic campaign charge of an "Eisenhower depression" into a Republican reality.

Mr. President, one of the cornerstones of the Administration policy which is slowly emerging in Washington is the so-called "sound dollar" and "hard money" policy. The last time we had this high interest rate, hard money policy, was under the direction of former Secretary of the Treasury, Andrew Mellon. Our present Treasury Secretary, Mr. Humphrey, is being hailed throughout the Nation's press and periodicals in the same glowing terms which this same press once heaped on Mr. Mellon. Many of us remember, however, that the aftermath of Mellon was mass unemployment.

Just how does this so-called "hard money" policy affect the ordinary citizen, the farmer, businessman, veteran, laborer and merchant living in the cities, towns and rural areas of Pennsylvania?

To begin with, Mr. President, all of us are being hit very directly as taxpayers. The increased interest on government bonds already raised by the government is costing the taxpayers an additional $135,000,000, and the contemplated increase in interest rates on bonds to be issued this year will cost the taxpayers an additional half-billion dollars annually.

Mr. President, who gains from this hike in interest rates on government bonds? Mostly banks, insurance companies and large corporations, who are the principal holders of such securities. For every one per cent the Treasury Department raises interest rates, the banks stand to gain $600,000,000 a year. The small banks will suffer, however, since they do not have the capital to buy the higher yielding bonds, because the government bond market has been allowed to drop ten points, and smaller banks cannot afford to take a loss on these bonds.

Mr. President, it is not, however, only in higher yields on government bonds that the banks benefit from the Treasury's new policies. Following the lead of the Treasury, banks throughout the Nation have raised their interest rates to borrowers. This has set off a whole chain reaction throughout the economy, ending up with the ordinary citizen at the end of the line, the consumer. Here are some of the results.

Business concerns have had to pay higher costs for expansion programs. For example, the Detroit Edison Company recently offered a bond issue at three and three-quarter per cent interest, the highest rate on an AA utility since 1935, but could not sell it. Throughout the State, utilities are facing the prospect of paying higher interest rates for bonds. Immediately thereafter, of course, they will apply to the PUC for a rate increase, based on higher costs. The consumer will pay it on his gas, light, water and other utility bills.

The farmer is another major victim of the new credit policies. Farmers are being forced to pay higher interest rates for money they customarily borrow to start and market crops. Even the rates on price support loans to farmers have been raised three and a half to four per cent, which puts the farmer, already being squeezed between declining prices and rising costs, at one-half per cent further below parity. In addition, the Farm Credit Administration has warned that it will soon raise its rates on loans for buying farm lands.

Mr. President, another group of big losers in the "big deal" financial States, counties, cities and smaller municipalities, which have had to postpone vitally needed school, road, sewer and other improvement programs because of the mounting costs of meeting bond issues.

Following out the policy of favoring the banks and big interests at the expense of the little man, the Administration has also hiked mortgage interest rates on FHA and GI mortgages.

Caught in the same squeeze, Mr. President, the "Big Three" auto finance companies have increased their interest rates one-half per cent, raising the financing charges on the purchase of a car by nine per cent. The far-reaching effects of this can be appreciated when you realize that at present sixty-five per cent of all auto and major household appliances are purchased on installment credit.

Mr. President, let me assure you that the growing concern with these policies is not merely carping criticism on the part of disgruntled Democrats. The national magazine, Business Week, has declared: "Events in the money market seemed to us to be saying pretty plainly that we may be overdoing this tight money business. We are glad to know the brakes work, but don't want to go through the windshield." J. A. Livingston, well-known economic analyst for the Philadelphia Bulletin and other newspapers reports that, "What bothers Detroit is tight money." "This is strong medicine," one economist for the auto industry declared. "These boys may be bringing on a depression."

Mr. President, several weeks ago, faced with the prospect of borrowing some nine billion dollars against tax collections not due until next March. the Administration suddenly reversed its field, and lowered reserve requirements for banks, thus freeing the banks to purchase additional amounts of government securities. However, for every dollar of government securities held in reserve, banks can increase their borrowing capacity to private borrowers by six times the amount of reserves, so that we witness the bewildering spectacle of the government ostensibly fighting inflation with a hard money policy on one hand, while with the other it further feeds the fires of inflation. The net result is not to cut down the amount of borrowing from banks, the announced objective of the Treasury policy, but merely to increase the interest rate which farmers, businessmen, merchants and workers must pay.

As all of you know, a giant United States Steel plant is now being readied for full production at Morrisville in Bucks County. To house the working force which will be required to keep this plant in operation, Mr. William

J. Levitt is erecting a vast housing development called Levittown.

Mr. Levitt announced several weeks ago that whereas he would be able to finish 10,000 homes by the end of this year on schedule, he was making a drastic fifty per cent slash in his new housing starts in 1954, from 6,000 planned starts to 3,000. The world renown builder declared that this drastic reduction would be required unless the Administration reversed its "hard money" policy, which has dried up any funds available to him to continue his building program. Further, Mr. Levitt predicted that unless the situation changes, "the construction industry will reach depression levels next year."

Mr. President, the storm signals are up. Let us hope and pray that our National and State economy is not wrecked on the same shoals into which the faltering hand of Republican leadership led us a quarter of a century ago.

SENATE CONCURRENT RESOLUTION

MEMORIALIZING CONGRESS TO UNDERTAKE AN INVESTIGATION OF THE FISCAL POLICIES OF THE PRESENT ADMINISTRATION

Mr. LEADER offered the following resolution which was twice read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, July 8, 1953.

Whereas, the so-called "hard money" policy of the national Administration has in fact brought about a "hardening of the arteries" of business and commercial credit, FHA-insured housing loans, veterans housing loans, price support loans to farmers, Farm Credit Administration loans for the purchase of farm land, automobile and appliance financing, and

Whereas States, counties, cities and school districts are finding it increasingly difficult to finance new schools, roads, sewers, bridges and other civic improvements because of the increased interest charges and the contraction of the bond market, and

Whereas, the resultant upward spiraling of interest rates, the sinking of the government bond market and the drying up of the source of capital increases the threat of a recession or depression, therefore be it

Resolved, That the Senate of the State of Pennsylvania (the House of Representatives concurring, memorializes the Congress of the United States to have the appropriate bodies of the Senate and House undertake a complete investigation and review of the fiscal policies upon which the administration has embarked in order to determine whether these policies are detrimental to the economic health of the Nation and should be reversed, and that copies of this resolution be forwarded to the Vice-President of the United States, the Speaker of the House of Representatives, the Majority and Minority Leaders of both Branches of Congress, Members of the Pennsylvania Congressional Delegation, and to the Secretary of Treasury of the United States.

REPORT FROM COMMITTEE

Mr. McPHERSON, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McPHERSON, JR., from the Committee on State Government, reported as committed Senate Bill No. 763, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers' College, to acquire a tract of land for the use of Millersville State Teachers' College; and making an appropriation therefor.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order:

Senate Bill No. 199, Printer's No. 357, and
Senate Bill No. 359, Printer's No. 354.

The PRESIDING OFFICER. Is there objection? The Chair heans none.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order.

Senate Bill No 281, Printer's No. 336,
Senate Bill No. 443, Printer's No. 343,
House Bill No. 500, Printer's No. 432,
Senate Bill No. 590, Printer's No. 315,
Senate Bill No. 591, Printer's No. 310,
House Bill No. 612, Printer's No. 434, and
House Bill No. 613, Printer's No. 435.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 695, as follows:

An Act fixing the salary of jury commissioners in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salary of the two elective jury commissioners in counties of the second class shall be eight thousand dollars ($8,000) each

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Watkins,
Chapman,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Walker,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1463, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres more or less of land situate in the City of Erie Erie County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania with the approval of the Governor is hereby authorized to sell at public sale to the highest bidder and convey the following described tract of land situate in the City of Erie County of Erie and Commonwealth of Pennsylvania bounded and described as follows

Beginning at an iron pin located 116.95 feet northerly of the northerly end of Wayne Street measured along the west line of Wayne Street extended and 205 feet westerly at right angles from said west line extended of Wayne Street thence north 26 degrees 52 minutes west 1478.72 feet more or less to a point thence north 53 degrees 15 minutes west 1253.21 feet more or less to a point thence south 19 degrees 12 minutes 30 seconds east 933.33 feet more or less to a point thence south 13 degrees 30 seconds east 395.51 feet more or less to a point thence south 80 degrees 56 minutes west 456.12 feet more or less to a point thence south 15 degrees 14 minutes east 1574.05 feet more or less to a point thence south 31 degrees 45 minutes east 68.14 feet more or less to a point thence north 74 degrees 30 minutes east 122.42 feet more or less to a point thence north 14 degrees 49 minutes west 82.40 feet more or less to a point thence north 12 degrees 40 minutes 30 seconds east 404.43 feet more or less to a point thence north 72 degrees 45 minutes east 1142.82 feet more or less to an iron pin the place of beginning containing 52.3 acres be the same more or less

Section 2 The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 3 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 4 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited to the credit of the General Fund

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Walker,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1505, as follows:

An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legisative Reference Bureau' by providing for compensation on a day basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter

The General Assembly of the Commonwealth of Pennsylavnia hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L.3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assemby remains in session beyond the fifteenth day of June making appropriations" is hereby amended to read as follows

Section 4 The provisions of this act shall become effective immediately upon final enactment and the daily compensation provided for in this act shall be payable to regular session employees of the Senate and House of Representatives employed for the work of the legislative session of one thousand nine hundred and fifty-one and for each regular legislative session thereafter for work done on and after the sixteenth day of June [one thousand nine hundred and fifty-one]

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably tt the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Walker, Presiding Officer
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act to amend section 2 of the act, approved the first day of April one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges with loads of excessive weight and inflicting penalties" by providing for payment of costs of prosecution for imprisonment in default of payments of fines and costs and for the disposition of fines penalties and forfeitures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 34, entitled:

An Act authorizing the Delaware River Joint Toll Bridge Commission with approval of the Secretary of Highways to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purpose of the Commission and providing for the disposition of proceeds thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 118, entitled:

An Act to further amend Section 612 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities borough incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the weight of tractors on bridges changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the minimum compensation payable to election officers in third to eighth class counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the reassessment of certain property in townships of the first class in certain cases and imposing liability for township taxes upon the owners thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 305 entitled:

An Act to further amend Section 1 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties,' by designating employes of the county planning commission as county employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act to further amend Section 31 of the act approved the twenty-ninth day of March one thousand eight hundred three (P. L. 542) entitled "An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned by permitting the Commissioners to conduct hearings when complaints are not filed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 381, entitled:

An Act to amend section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 382, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three L. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing township supervisors to widen or straighthen State highways and to make a plan of the Department of Highways the official plan of a township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 392, entitled:

An Act to further amend subsection (a) of section 805 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions relating to lighting equipment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 430, entitled:

An Act to add Section 1035 to the act approved the first day of May one thousand nine hundred twenty-nine (P.L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing and operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the depositing of foreign material on highways and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 444, Printer's No. 344, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 463, entitled:

An Act to further amend subsection (b) of section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board and imposing duties on county solicitors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 475, Printer's No. 345, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act to further amend subsection (j) and the penalty clause of section 620 of the act approved the first day of May one thousand nine hudred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making it a crime to commit a fraud regarding any form or application filed with the Department.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 537, Printer's No. 368, and

Senate Bill No. 576, Printer's No. 352.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 585, entitled:

An Act to further amend subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department

of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the possession of certain certificates of inspection and approval.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 605, entitled:

An Act to amend the title section two and subsection (c) of section four of the act approved the twenty-seventh day of September one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practible to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds" by providing for the construction operation and maintenance of central connection extensions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 626, Printer's No. 370, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 626, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where information charging violations of summary provisions of said act may be brought

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 650, Printer's No. 372, and

House Bill No. 651, Printer's No. 204.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 652, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land and building thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of Indiana State Teachers' College and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 652, the bill just read, be re-referred to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by further prescribing the powers of the board prescribing certain educational requirements further providing for the issuance of reciprocal certificates and further defining certain unlawful acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 683, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 16.96 acres more or less of land situate partly in the Township of Bristol Bucks County and partly in the Borough of Tullytown Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 688, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrions and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 704, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing provisions concerning notice to owners of property in regard to assessments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 708, entitled:

An Act to amend section twelve hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the duties and jurisdiction of the Board of Property to cases involving the title of land or interest therein brought by persons who claim an interest in the title to lands occupied or claimed by the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 709, entitled:

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth certain real estate adjoining Indiana State Teachers' College in the Borough of Indiana Indiana County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 768, Printer's No. 374, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata township Lancaster County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 789, entitled:

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglary and requiring the county to pay the cost of such insurance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land siutate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 883, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by redefining certain terms; and eliminating and changing certain provisions relating to lighting equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 906, Printer's No. 318,
House Bill No. 1021, Printer's No. 467, and
House Bill No. 1042, Printer's No. 320.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies, to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown, Lehigh County, Pennsylvania, and providing for the disposition of the proceeds of the purchase moneys.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1300, entitled:

An Act to add section five to the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth

showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1302, Printer's No. 332,
House Bill No. 1336, Printer's No. 291, and
House Bill No. 1350, Printer's No. 466.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1420, Printer's No. 383,
House Bill No. 1421, Printer's No. 384, and
House Bill No. 1440, Printer's No. 424.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 204, entitled:

An Act to amend Section 2 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by giving juvenile courts jurisdiction during vacation

House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide an adsectum judgment index and fixing the fees of the prothonotaries therefor

House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties," by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain politiral subdivisions

House Bill No. 1059, entitled:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred hirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of service for policemen

House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript there-

of" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

House Bill No 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases

House Bill No. 1352, entitled:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (John M. Walker) in the Chair.

BILL INTRODUCED AND REFERRED

Mr. LEADER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. LEADER and FLEMING read in place and presented to the Chair Senate Bill No. 771, entitled:

A Joint Resolution proposing an amendment to section sixteen, article two of the Constitution of the Commonwealth of Pennsylvania, by further providing for the composition of senatorial districts and removing for a certain period, the limitation upon the number of senators.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for two hours.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 908, entitled:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

Which was committed to the Committee on Finance.

House Bill No. 909, entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring seller to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

Which was committeed to the Committee on Finance.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for ten minutes, for the purpose of holding a meeting of the Finance Committee.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Finance, reported as committed Senate Bill No. 10, entitled:

An Act to further amend Section 2 of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by changing the tax rate on property transferred to lineal descendants of adopted children.

He also from the Committee on Finance reported as committed Senate Bill No. 32, entitled:

An Act to further amend Section 2 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provide for raising revenue for State purposes," by further regulating the returns of tax-

able property and the payment of taxes by certain taxpayers under the provisions of this act.

He a'so from the Committee on Finance reported as committed House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agancy thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing that any number of items, though held for different persons, may be joined by an escheator in one petition in escheat, providing for actions by escheators for depositions, discovery and inspection.

He a'so from the Committee on Finance reported as amended Senate Bill No. 283, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by exempting from such tax receipts derived from the operation of school buses in transporting pupils to and from school.

He also, from the Committee on Finance, reported as committed House Bill No. 516, entitled:

An Act to further amend Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and impoisng penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by extending the filing period for capital stock franchise corporate loans and foreign bonus reports

He also, from the Committee on Finance, reported as committed House Bill No. 638, entitled:

An Act to further amend Section 1 of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini, one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by reducing the time after settlement, within which the tax must be paid.

He also, from the Committee on Finance, reported as committed House Bill No. 639, entitled:

An Act to further amend Section 1 of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by reducing the time after settlement within which the tax must be paid.

He also, from the Committee on Finance, reported as committed House Bill No. 811, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and reestablishment of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations Joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time.

He also, from the Committee on Finance, reported as committed House Bill No. 812, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled "An act to provide revenue for State purposes by imposing a property tax, for a limited period of time, on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock asociations, and limited partnerships; excluding certain income; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom;

conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties," by extending the provisions of the act for a further limited period of time.

He also, from the Committee on Finance, reported as committed House Bill No. 813, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time.

He also, from the Committee on Finance, reported as committed House Bill No. 816, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

He also, from the Committee on Finance, reported as committed House Bill No. 900, entitled:

An Act to add section 3.1 to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certificates to be issued upon payment of tax, to be attached to windshields and providing penalties.

He also, from the Committee on Finance, reported as committed House Bill No. 908, entitled:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

He also, from the Committee on Finance, reported as committed House Bill No. 909, entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

He also, from the Committee on Finance, reported as committed House Bill No. 1098, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity

He also, from the Committee on Finance, reported as amended House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any foreign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint-stock associations

He also, from the Committee on Finance, reported as amended House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act to further amend Section 2 of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by changing the tax rate on property transferred to lineal descendants of adopted children.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 32, entitled:

An Act to further amend Section 2 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 35, entitled:

An Act, giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler, Commonwealth of Pennsylvania, known as the Veterans Administration Hospital, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay licenses fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for dispositions discovery and inspection.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 283, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by exempting from such tax receipts derived from the operation of school buses in transporting pupils to and from school.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by requiring a service charge to be collected on bottled wine purchased by the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act to further amend Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by extending the filing period for capital stock franchise corporate loans and foreign bonus reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by leving a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of

companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 639, entitled:

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 752, entitled:

An Act to amend the act, approved the nineh day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments, boards and commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the written approval of the comptroller of requisitions for money appropriated to State departments, boards or commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers' College, to acquire a tract of land for the use of Millersville State Teachers' College; and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 811, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties," by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 812, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 813, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 816, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 908, entitled:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1098, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania exemptng income taxes on persons and corporations from requirement of uniformity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domistic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the

following bills had passed both houses of the Goneral Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

House Bill No. 1463, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres more or less of land situate in the City of Erie Erie County Pennsylvania.

House Bill No. 1505, entitled:

An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations" by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter.

Whereupon,

he PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Thursday, July 9, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:33 o'clock p. m., Eastern Standard Time, until Thursday, July 9, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 8, 1953

The House met at 11:00 a. m. EST.

The SPEAKER pro tempore (William L. Yeakel) in the Chair.

The SPEAKER pro tempore. The Speaker has requested the present occupant of the Chair to preside during his absence.

PRAYER

The Chaplain, William Hugh Fryer, offered the following prayer:

O God our Father, who didst send Thy Son to be the Saviour of all men and the Prince of Peace: look, we pray Thee, in mercy upon the peoples of the world and prosper all counsels which make for righteousness and peace. Forgive what Thou hast seen in us of selfishness and pride, remove far from us the tempers which provoke the spirit of strife; and grant us such measure of the gentleness and patience of Thy Son, that we may live peaceably with all men and be, by Thy blessing, the makers of peace; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, July 7, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, July 7, 1953 be postponed until the Journal is in print.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker. There appears a story on the front page of the Patriot News this morning which I think needs clarification. It states,

> Representative Albert W. Johnson, (R-McKean), Republican Floor Leader in the House of Representatives, yesterday accused newspapers of being a little too much concerned with what is going on in the Legislature.
>
> Shortly afterward, the Republican caucus slapped a gag on Johnson and gave House Speaker Charles C. Smith, (R-Philadelphia), the job of being the official press spokesman for the caucus.
>
> Representative Edwin W. Tompkins, (R-Cameron), reportedly made the caucus motion that Smith be the only Member authorized to speak to newspapermen about the caucus action.
>
> It was adopted, tightening "the security regulations" of the political group by prohibiting all other elected representatives from the GOP side to discuss party caucus affairs in the Assembly with reporters.

If the members of the Press, after they heard this supposed rumor, had contacted me, they would not have the use the word "reportedly" in this article. I would have told them that I did make such a motion.

I further would have told them that the motion was not a gag upon Mr. Johnson, but it was merely an authority for Mr. Smith to speak on certain matters which came before the caucus yesterday. It seems as though the rule itself had been very seriously violated by this particular leak which got out of caucus itself.

Hereafter if the Press hears reports about anything I am supposed to have done, I think I am perfectly capable to speak for myself, instead of having it reported as being "reportedly said," or that Tompkins is "supposed to have done." I am perfectly willing to discuss matters with the Press at any time.

Furthermore I wish to state that Mr. Johnson has had a very good relation with the Press during the course of this Legislature. It was not intended as any slap at Mr. Johnson, nor was it intended as any slap at the Press. What I was trying to do was give one person out of that caucus authority to speak for the caucus on matters which came before the caucus yesterday only.

QUESTION OF PERSONAL PRIVILEGE

Mr. KORNICK. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KORNICK. Mr. Speaker, on June 30th the House voted on a resolution proposing an amendment to Section 1 Article IX of the Constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from the requirement of uniformity.

In the roll call, as recorded on the vote on this amendment, I am recorded as having voted "nay".

Mr. Speaker, I voted "aye" and I am rising on my question of personal privilege in order that my vote may be correctly recorded in the Journal of the House.

BILLS INTRODUCED AND REFERRED

By Mr. HELM. HOUSE BILL No. 1562.

An Act to amend the act, approved the twenty-ninth day of June, one thousand nine hundred fifty-three (Act No. 66), entitled "An act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics, records of evidence; prescribing fees and penalties and revising and consolidating the laws relating thereto," by imposing duties upon chiropractors.

Referred to the Committee on Public Health and Sanitation.

By Mr. WORLEY. HOUSE BILL No. 1563.

An Act providing for a referendum to determine the will of the electorate with regard to enactment of a broad base tax for school revenue purposes and for determining their preference regarding the method of levying the tax.

Referred to the Committee on Ways and Means.

By Messrs. HERSCH and LEDERER. HOUSE BILL No. 1564.

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by providing local option procedure for the question of permitting sales between hours of two o'clock postmeridian on Sunday and two o'clock antemeridian on Mondty by licensed hotels and restaurants; repealing inconsistent act.

Referred to the Committee on Liquor Control.

By Messrs. TOMPKINS and FLEISCHMAN. HOUSE BILL No. 1565.

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. STIMMEL. HOUSE BILL No. 1566.

An Act to amend Sections 3 and 6 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 762), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employees of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," by regulating reinsurance for protection against catastrophies.

Referred to the Committee on Workmen's Compensation.

By Mr. GLICK. HOUSE BILL No. 1567.

An Act to amend Section 631 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by further regulating the sale and possession of firecrackers, fireworks and pyrotechnics.

Referred to the Committee on Law and Order.

By Mr. WATERHOUSE. HOUSE BILL No. 1568.

An Act to amend Section 5.1 of the act, approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the court of common pleas of Dauphin County; and prescribing penalties," by further providing for licensure of nonresident practitioners without further examination.

Referred to the Committee on Professional Licensure.

By Mr. HEWITT. HOUSE BILL No. 1569.

An Act to amend the title and act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by appropriating funds derived from payments made in lieu of planting to the Department of Mines; and transfering powers and duties from the Secretary of Forests and Waters to the Secretary of Mines.

Referred to the Committee on Mines and Mining.

By Mr. HEWITT. HOUSE BILL No. 1570.

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by appropriating all funds derived from registration fees, forfeitures of bonds, cash securities and deposits and in lieu of planting to the Department of Mines, to be used by the Secretary of Mines as herein provided, and transferring powers and duties from the Secretary of Forests and Waters to the Secretary of Mines.

Referred to the Committee on Mines and Mining.

By Messrs. ZIEGLER and OGILVIE.
HOUSE BILL No. 1571.

An Act to provide revenue by imposing a tax on the use of services furnished by public utilities; providing for the assessment and collection of the same and the settlement and resettlement thereof; requiring public utilities to file returns; and prescribing penalties.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 296.

An Act to further amend Section 354 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by requiring approval of policies other than certain fire and marine policies issued by domestic mutual fire insurance companies.

Referred to the Committee on Insurance.

SENATE BILL No. 404.

An Act to amend the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" by extending the provisions thereof to counties of the fifth class.

Referred to the Committee on Counties.

SENATE BILL No. 480.

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by defining certain terms imposing powers and duties on the Department of Welfare, providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children elminating certain consents to adoption and further providing for hearings and investigatory powers of the court.

Referred to the Committee on Judiciary.

SENATE BILL No. 485.

An Act to amend section seven hundred three of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service bases; requiring employers to keep records and make reports, and certain employers to pay constributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the forwarding of certain benefit checks to the Department of Public Assistance.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 571.

An Act to amend clause (2) of section 204 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by exetnding the provisions relating to change of classification of school districts.

Referred to the Committee on Education.

SENATE BILL No. 692.

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits to school employes resigning from school service to enter the armed forces of the United States.

Referred to the Committee on Education.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MURRAY, THOMAS, JENKINS and MORAN. (Concurrent) RESOLUTION No. 73.

In the House of Representatives, July 7, 1953.

Whereas, The Township of Penn, located in the County of Allegheny and the Commonwealth of Pennsylvania, is a progressive, civic-conscious, and growing municipality; and

Whereas, Its progression is reflected by an influx of new residents annually; and

Whereas, Its civic pride is motivated by its founding and supporting a weekly newspaper, known as "The Penn Progress"; and

Whereas, "The Penn Progress" is published by Mr. Len C. Anderson; and

Whereas, Mr. Edward L. Dardanell is editor and general manager; and

Whereas, Its news and editorials are devoted to a better informed citizenry and the betterment of Penn Township; therefore be it

Resolved (If the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania congratulate Mr. Len C. Anderson, Publisher and Edward L. Dardanell, Editor and General Manager, of "The Penn Progress" for their splendid efforts towards a better and more progressive Township of Penn; and be it further

Resolved, That a copy of this Resolution be transmitted to Len C. Anderson, Publisher of "The Penn Progress" of Penn Township.

Referred to the Committee on Rules.

By Mr. WORLEY.

(Concurrent) RESOLUTION (Not Printed).

In the House of Representatives, July 7, 1953.

Resolved (if the Senate concurs), That this regular session of the General Assembly recess until Monday, November 9, 1953 at 2:30 o'clock P. M. Eastern Standard Time.

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HOCKER asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

RESOLUTION

CONGRATULATIONS

Messrs. BULLEN, CONNELLY, LIPPINCOTT, KROMER, RAGOT, MAHAN, DOWN, GEORGE E. JONES, FLEISCHMAN, BUCHANAN, ASHTON, STEVENSON, GLEASON, WHALLEY, NAUGLE, VAN SANT, FERSTER, PRICE, BARKDOLL and Mrs. MARKLEY offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, July 7, 1953.

This might not have happened during the legislative session had not the Commonwealth required more revenue. And now that it has happened, our fellow member from Burnt Cabins, Fulton County, will also require more revenue.

For many years his shining legalistic armor withstood Cupid's piercing shots. He had begun to consider himself quite impregnable, and boasted of his bachelor freedom, and gloried in his membership in that small group of legislative unwed.

But now there is one less bachelor in the House. Miss Elizabeth Morton Mellott of McConnellsburg had what it took to subdue this arrogant swain. On Friday last, the third of July, she became Mrs. Merrill W. Kerlin.

Resolved, That the House of Representatives welcome Mrs. Kerlin to the friendly fellowship of legislative wives, congratulate Mr. Kerlin on his rare good fortune that in spite of himself he has at last been blessed with a charming and loving wife, and wish them both a full enjoyment of the privileges, perogatives and happiness of their newly assumed status.

Resolved, That a copy of this resolution be presented by the Chief Clerk to Hon. and Mrs. Merrill W. Kerlin as a token of our good wishes and esteem.

REPORTS OF COMMITTEES

Mr. POLTENSTEIN, from the Committee on Municipal Corporations reported as committed, House Bill No. 127, entitled:

An Act validating building and zoning ordinances and codes or amendments thereto of political subdivisions not filed in the office of the recorder of deeds when prescribed by law under certain conditions.

Mr. AUKER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 288, entitled:

An Act designating certain offices as incompatible with elected offices in cities, boroughs and townships of the first class.

Mr. PARLANTE, from the Committee on Motor Vehicles, reported as amended, House Bill No. 315, entitled:

An Act to further amend Subsection (a) of Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by further limiting and regulating certain prosecutions for summary convictions.

Mr. SCHWARTZ from the Committee on Municipal Corporations, reported as committed, House Bill No. 394, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by providing a method for the formation of a new borough out of a township of the first class, or out of a part of a township of the first class.

Mr. WILT from the Committee on Education, reported as committed House Bill No. 958, entitled:

An Act to add Subdivision (b.1) to Article XV of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing expanded audio-visual education programs and matching of State and district moneys for payment of the costs thereof.

Mr. VAUGHAN from the Committee on Welfare, reported as committed, House Bill No. 1056, entitled:

An Act to further amend Section 702 of the act, approved the twelfth day of June, one thousand nine hundred fifty one (P. L. 533), enttiled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by extending the liability of the Commonwealth of Pennsylvania for the costs of care of any patients convicted of crime undergoing sentence prior to the expiration of the term of such sentence.

Mr. VAUGHAN from the Committee on Welfare, reported as committed, House Bill No. 1057, entitled:

An Act providing for the acquisition of land and for the construction and equipping of a new mental hospital in the Philadelphia area; providing for the care, maintenance and control of patients; imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

Mr. VAUGHAN from the Committee on Welfare, reported as committed, House Bill No. 1065, entitled:

An Act to further amend Section 701 of the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by extending the liability of the Commonwealth of Pennsylvania in certain cases for costs of care of any patient from and after the date of a court order committing the patient to any institution or to any institution district, or to the Department of Welfare of cities of the first class for placement in any institution.

Mr. WILBUR H. HAMILTON from the Committee on Municipal Corporations, reported as amended, House Bill No. 1073, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the certification of returns of tax claims by bureaus in seventh and eighth class counties to county treasurers for collection; further regulating in counties of the seventh and eighth class the sale of certain properties turned over to the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of this act; prohibiting bureaus in seventh and eighth class counties from leasing certain properties and authorizing such bureaus to execute deeds.

Mr. SCOTT from the Committee on Education, reported as committed, House Bill No. 1102, entitled:

An Act to amend Sections 1084 and 1086 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting the appointment of additional teachers and providing for their compensation and payment of traveling expenses for supervisors and teachers.

Mr. AUKER from the Committee on Municipal Corporations, reported as Committed, House Bill No. 1249, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by exempting certain investments from taxation.

Mr. CIANFRANI from the Committee on Motor Vehicles, reported as committed, House Bill No. 1269, entitled:

An Act to amend Section 1203 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and egal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing pena ties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended by providing for arrests on view by peace officers of any organized police department.

Mr. FERSTER from the Committee on Education, reported as committed, House Bill No. 1273, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing emp oyes, defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Common-

wealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for private school and institution service in certain instances.

Mrs. MUNLEY from the Committee on Education, reported as committed, House Bill No. 1312, entitled:

An Act to amend Section 1361 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for free transportation of resident pupils in order to provide tours.

Mr. WILT from the Committee on Cities—Counties—First-Second and Second Class A, reported as committed, House Bill No. 1384, entitled:

An Act to amend the title and the act, approved the twenty-fifth day of April, one thousand nine hundred thirty-five (P. L. 82), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen vacation each year, except in emergency cases," by changing the provision thereof relating to annual vacations.

Mr. KELLER from the Committee on Education, reported as committed, House Bill No. 1400, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions relating to medical and dental examinations of school children, teachers and other employes.

Mr. BOORY from the Committee on Municipal Corporations, reported as committed, House Bill No. 1442, entitled:

An Act to further amend Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing that no fishing shall be permitted on Authority waters unless the privilege is available to all licensed fishers.

Mrs. VARALLO from the Committee on Eduction, reported as committed, House Bill No. 1455, entitled:

An Act to further amend Clause (1) of Section 1101 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by adding the terms coordinators, directors, and public school psychologists to the definition of professional employee.

Mr. GUTENDORF from the Committee on Military Affairs, reported as amended, House Bill No. 1483, entitled:

An Act authorizing certain persons on active duty with the armed forces of the United States to act as notaries public and validating certain acknowledgments and affidavits.

Mr. SCHWARTZ, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1489, entitled:

An Act to further amend subsection (a) of Section 823 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating official inspections of motor vehicles, trailers and semi-trailers.

Mr. GEER, from the Committee on Welfare, reported as amended, House Bill No. 1490, entitled:

An Act to amend Section 5 of the act, approved the first day of February, one thousand eight hundred sixty-six (P. L. 8), entitled "A supplement to an act, entitled 'An Act for the better management of the Allegheny County prison,' approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five," by further regulating the transfer or removal of inmates from jails in Allegheny County and further providing for the transfer of mentally ill inmates to State Mental Hospitals.

Mr. CIANFRANI, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1511, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, to exempt blind paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

Mrs. VARALLO, from the Committee on Education, reported as committed, House Bill No. 1530, entitled:

An Act to further amend the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by further defining "receipts" in the case of sales in a natural state of mined products.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1535, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating the issuance of an operator's license.

Mr. CIANFRANI from the Committee on Municipal Corporations, reported as committed, House Bill No. 1538, entitled:

An Act validating certain contracts entered into by Municipality Authorities for the construction of school projects without receiving separate bids and awarding separate contracts for heating and ventilating work.

Mr. CIANFRANI from the Committee on Municipal Corporations, reported as committed, House Bill No. 1539, entitled:

An Act to amend Subsections A and D of Section 10 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by authorizing Authorities to reject any or all bids on contracts, validating the actions of Authorities and contracts heretofore awarded after the rejection of all the first set of bids, and clarifying the effect of certain contracts heretofore or hereafter made by an Authority in violation of certain provisions of the act.

Mr. WHITE from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 40, entitled:

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and ther employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by increasing the compensation of assessors.

Mr. WOOD from the Committee on Education, reported as amended, Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States.

Mr. DOWN from the Committee on Welfare, reported as amended, Senate Bill No. 54, entitled:

An Act to further amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind: and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards; authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "assistance" and those persons eligible for assistance; further prescribing residence requirements with respect to assistance, changing the terms of county board members, clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution; prescribing additional penalties and repealing a certain act.

Mr. VAUGHAN from the Committee on Welfare, reported as committed, Senate Bill No. 59, entitled:

An Act to further amend Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by making certain aged persons placed in county homes eligible for assistance.

Mr. SPENCER from the Committee on Cities—Counties-First-Second and Second Class A, reported as committed, Senate Bill No. 61, entitled:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and associations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board.

Mr. DOWNEY, from the Committee on Counties, reported as committed, Senate Bill No. 247, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; further prescribing the power of the retirement board to provide minimum retirement allowances.

Mr. BREISCH, from the Committee on Education, reported as committed, Senate Bill No. 468, entitled:

An Act to amend Section 516.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto;" by extending the area in which school directors may attend certain meetings.

Mr. KELLER, from the Committee on Education, reported as committed, Senate Bill No. 544, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

Mr. SCHMIDT, from the Committee on Education, reported as committed, Senate Bill No. 554, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

Mr. GUTHRIE from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

Mr. KOLANKIEWICZ from the Committee on Military Affairs, reported as committed, Senate Bill No. 634, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties.

Mr. GIANFRANI, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1097, entitled:

An Act to further amend subsection A of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second Class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal for the or-quarter sessions and to the Supreme Court and Superior Court," by removing theatres and motion picture places as dinance or resolution levying such taxes to the court of a subject of taxation.

Mr. BARKDOLL, from the Committee on Motor Vehicles, re-reported as amended, House Bill No. 1133, entitled:

An Act to further amend article nine of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject mater of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring that scales used in determining weights of vehicles and loads be tested and approved, and authorizing inspectors of weights and measures to make such tests.

BILL ON FIRST READING

Mr. CIANFRANI asked and obtained unanimous consent for House Bill No. 1097 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to further amend subsection A of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled as amended, "An act empowering cities of the second class, cities of second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced: providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by removing theatres and motion picture places as a subject of taxation.

And said bill having been read at engthe the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. COOPER asked and obtained permission for the Committee on Banking and Building and Loan Asociations to meet during the session of the House.

Mr. ERB asked and obtained permission for the Committee on Counties to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 116, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reoganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act to amend subsection (e) of Section 410 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled " An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting licensed importers to import purchase sell and store liquor and alcohol in the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies

and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the establishment by the Department of Property and Supplies of standards for the design construction repair alteration equipping and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein repealing inconsistent legislation directing the Department of Property and Supplies to make a report to the next General Assembly and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 781, entitled:

An Act providing that publication of reports of judicial and legislative proceedings and of governmental bodies shall be privileged subject to certain conditions and extending the privileges to the publication of certain statements by public officials and requiring proof of abuse of the privilege in an action of defamation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 864, entitled:

An Act to amend Section 403 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by clarifying provisions relating to exemption from execution of certain property by landlord for nonpayment of rent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act to add subsection (f) to Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for certain commitments by petition.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1290, entitled:

An Act to further amend section 706 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the state government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the state government and every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every state depository and every debtor or creditor of the Commonwealth" by clarifying the provisions thereof relating to the filing of bonus reports and the payment of bonus by foreign corporations limited partnerships and joint-stock associations and by providing for the filing of excise tax reports and the payment of such tax by foreign corporations limited partnerships and joint-stock associations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1306, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing issuance of resident fishing licenses to certain residents who intend to become naturalized

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1311, entitled:

An Act to further amend Section 731 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the state government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the state government and every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every state depository and every debtor or creditor of the Commonwealth" by permitting public inspection of distributors' monthly liquid fuels tax reports with certain exceptions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1321, entitled:

An Act to amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by transferring to the juvenile courts powers and duties relating to parolees of the Pennsylvania Training School at Morganza

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1322, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by transferring to the juvenile court powers and duties relating to parolees of the Pennsylvania Training School at Morganza

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1363, entitled:

An Act to amend sections one and three of the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarter sessions" by limiting jurisdiction over juveniles in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1453, entitled:

An Act to further amend Subdivision five of the compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit on portions of said lake the operation of motor boats at limited speeds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1480, entitled:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person undergoing imprisonment to participate in any riot rout assembly or affray and fixing the penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1481, entitled:

An Act to add section seven hundred ten point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person sentenced for any term to commit an assault by any means likely to produce great bodily injury and fixing the penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1482, entitled:

An Act to add section seven hundred ten point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person sentenced to life imprisonment to commit an assault by any means likely to produce great bodily injury and fixing the penalty therefor at death

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1486, entitled:

An Act to further amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by fixing the minimum prices of wines

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1510, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 0.1959 acres more or less of land in the township of Limerick Montgomery County Pennsylvania with the approval of the Governor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 236, entitled:

An Act designating certain banking institutions as additional loan and transfer agents of the Commonwealth, and conferring powers and imposing duties upon such institutions and certain State officers with respect thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 360, entitled:

An Act to further amend section two hundred forty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for additional complimentary fishing licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates fares and charges and supplements thereto filed with the Interstate Commerce Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred elven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Conmmonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take on exception to the ruling of a trial judge on the admission or exclusion of testimony.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 624, entitled:

An Act to amend the Act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) entitled, "An Act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales,

commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; and to mak uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 669, entitled:

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or any organized subdivision thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 670, entitled:

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 671, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 672, entitled:

An Act to repeal section six of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by eliminating transfers to the Central State Penitentiary at Rockview.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven nine hundred twelve nine hundred thirteen nine hundred fourteen and nine hundred fifteen to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain powers of the Department of Welfare to the Department of Justice and imposing certain duties upon the Department of Justice

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions, and repealing certain acts or parts of acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees; abolishing certain penal institutions; imposing duties upon the Commissioner of Correction of the Department of Justice; and providing for the costs of transportation and maintenance of inmates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice, correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiaries, and persons therein or responsible therefor applicable in the case of the said institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act, approved the twenty-fourth day of March, one thousand nine hundred twenty-one (P. L. 48), entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary, and from the Western Penitentiary to the Eastern Penitentiary, and their imprisonment in the penitentiary to which transferred; imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted; directing that certain notice of such transfer of a convict be given; and making appropriations," by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay licenses fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by designating the Department of Justice for the Department of Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 514.

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 4 by striking out the figures "2.50" and inserting in lieu thereof the figures "5.00"; line 6 by striking out the figures "2.50" and inserting in lieu thereof the figures "5.00"; by striking out all of lines 10, 11, 12, 13, 14, 15, 16 and 17 and on line 18 by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "3".

Amend the bill, page 3, line 9, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4"; by striking out all of lines 12, 13, 14, 15, 16, 17, 18 and 19; page 4, by striking out all of lines 1, 2, 3, 4, 5, 6, 7, 8, and 9 and inserting in lieu thereof the following:

(1) Taking bail for a hearing or for appearance at Quarter Sessions each defendant $1.00

(2) Taking bail fixed by another magistrate justice of the Peace or Alderman for a hearing or for appearance at Quarter Sessions each defendant $2.00

(3) Subpoena or subpoena duces tecum in criminal or civil cases $.50

(4) Entering transcript of judgment from another magistrate justice of the peace or alderman $1.00

(5) Every acknowledgment of deed or other instrument of writing first name $.75; each additional name $.25

(6) Marrying each couple making record thereof and certificate to the parties $5.00

(7) Writing affidavits or affirmations $1.00
(8) The fees for services not herein specially provided shall be the same as for similar services

Amend the bill page 6, line 14, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the following: "5"; page 6, line 5, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Gutendorf,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Cochran,	Jones, T. H. W.,	Ogilvie,	Verona,
Clapper,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Light,	Metz,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 435.

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

Mr. KENT. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 435.

The motion was agreed to.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 528.

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring pemits and home-wokers' certificates and prescribing the fees therefor confering powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

Mr. KENT. Mr. Speaker, I move that the House recede from its amendments non-concurred in by the Senate to Senate Bill No. 528.

On the question,

Will the House agree to the motion?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Gutendorf,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,

Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Metz,	Light,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from its amendments non-concurred in by the Senate.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HELM asked and obtained permission for the Committee on Education to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1218, entitled:

An Act to reenact and further amend Section 220 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the resident fishing license fee.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1393, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the appointment of a deputy city treasurer and prescribing his powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1152, as follows:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" are hereby amended to read as follows

An Act

Requiring the recorder of deeds of every county except counties of the second class in certain cases to report transfers of property to the commissioners of townships of the first class and to supervisors of townships of the second class

Section 1 It shall be the duty of the recorder of deeds of every county except counties of the second class upon written request therefore as herein provided to furnish the township commissioner of each township of the first class and township supervisors of each township of the second class within the county a record of all transfers of property located within the township when any township imposes a tax on the transfer of real property the commissioners or supervisors shall transmit to the recorder of deeds written request for such record of transfers Such record shall show the name of the grantor and grantee a description of the property as mentioned in the deed the consideration recited in the deed and the value of the federal documentary stamps affixed to the deed Such record shall be sent to the township commissioners or township supervisors as the case may be on or before the second Monday of each month

When a written request has been made for a record of transfers in a township as herein provided the recorder of deeds shall thereafter charge and collect as a fee for the services hereinabove prescribed the sum of twenty-five cents (25c) for each deed recording the conveyance of land in such township

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hooker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,

Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,			

NAYS—0

NOT VOTING—3

Light,	Metz,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Charles C. Smith) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bucks, Mr. Yeakel, for presiding.

REPORTS FROM COMMITTEES

Mr. FERSTER, from the Comittee on Education, reported as committed, House Bill No. 1408, entitled:

An Act making resolutions of school districts which impose a tax valid, notwithstanding failure to advertise intention to adopt such resolutions in a newspaper of general circulation within such school districts.

Mr. THOMPSON, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 53, entitled:

An Act to further amend clause (4) of subsection A of section 1001 of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or persons, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

Mr. OLSEN, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 62, entitled:

An Act to further amend subsection C of section 1210 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporations, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments and limitations on loans and discounts of savings banks.

Mr. BOORY, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 64, entitled:

An Act to further amend section 1212 and to amend section 1214 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporations, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing concerning the powers and limitations on powers of savings banks.

Mr. GIBSON, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 87, entitled:

An Act to reenact subsection A of section 1012 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exer-

cise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the powers and limitations on powers of banks and bank and trust companies.

Mr. COOPER, from the Committee on Banking and Building and Loan Associations, reported as amended, Senate Bill No. 531, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

Mr. CLAPPER, from the Committee on Education, reported as committed, Senate Bill No. 571, entitled:

An Act to amend clause (2) of section 204 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the provisions relating to change of classification of school districts.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 155, as follows:

An Act to further amend Clause (f) of Section 448 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the membership of the Advisory Health Board to include one doctor of osteopathy and one doctor of optometry

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (f) of Section 448 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health or in his place his duly authorized deputy and [ten] twelve members five of whom shall be doctors of medicine licensed to practice medicine in Pennsylvania one a dentist licensed to practice dentistry in Pennsylvania one a doctor of osteopathy licensed to practice osteopathy in Pennsylvania one a doctor of optometry licensed to practice optometry in Pennsylvania one a pharmacist registered with the State Board of Pharmacy and one an engineer registered with the State Registration Board for Professional Engineers who is experienced in sanitary engineering The Secretary of Health or in his place his duly authorized deputy shall be chairman of the board

The term of office of each appointed member of the board shall be four years measured from the third Tuesday of January of the year in which he takes office or until his successor has been appointed and has qualified except that in the initial appointment of the members of the board one member shall be appointed for a term of one year three members for a term of two years three members for a term of three years and three members for a term of four years

Six members of the board together with the Secretary of Health or in his place his duly authorized deputy shall constitute a quorum

Each appointed member of the board shall receive actual traveling expenses and per diem compensation at the rate of $25.00 a day for time actually devoted to the business of the board

* * * * *

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

Andrews,	Gleason,	Mahan,	Rovansek,
Banker,	Glick,	Maxwell,	Schuster,
Barkdoll,	Greenwood,	McCann,	Schwartz,
Baumunk,	Guss,	McCormack,	Seyler,
Bazin,	Gutendorf,	McDermit,	Smith, W. B.,
Bear,	Guthrie,	McGee,	Snider,
Blair,	Hamilton, R. K.,	McInroy,	Spencer,
Boies,	Harris,	McWherter,	Stank,
Boory,	Haudenshield,	Mihm,	Stimmel,
Breisch,	Helm,	Mikula,	Stone,
Breth,	Hersch,	Mills,	Stoner,
Brown,	Hewitt,	Monroe,	Strausser,
Bucchin,	Hocker,	Moody,	Sucher,
Capano,	Hoggard,	Moore,	Taylor,
Cianfrani,	Ide,	Moran,	Thomas,
Cioffi,	Jenkins,	Muldowney,	Toll,
Clapper,	Jim,	Munley,	Toomey,
Comer,	Jones, Gran'le E.,	Murray, J. J.,	Varallo,
Connelly,	Jones, Paul F.,	Musto,	Verona,
Conner,	Jump,	Needham,	Wall,
Cooper,	Keller,	Ogilvie,	Wallace,
Coyle,	Kerlin,	Olsen,	Walsh,
Curwood,	Kline,	Parlante,	Wargo,
Dougherty,	Kohl,	Peifly,	Welsh,
Downey,	Kolankiewicz,	Peta,	Wheeler,
Dunn,	Kornick,	Petrosky,	White,
Ewing,	Kubacki,	Pfaff,	Whitenight,
Farabaugh,	Lederer,	Phillips,	Willaredt,
Fenrich,	Leonard,	Polaski,	Williams,
Ferster,	Leven,	Polen,	Yeakel,
Filo,	Limper,	Poltenstein,	Yetzer,
Flack,	Lopresti,	Readinger,	Young,
Flynn,	Lovett,	Reidenbach,	Zeitz,
Geer,	Lutty,	Richter,	Ziegler,
Gibson,	Maguire,	Rosen,	

NAYS—34

Ashton,	Gramlich,	Markley,	Scott,
Auker,	Hamilton, W. H.,	Mathews,	Thompson,
Bolton,	Johnson,	Miller,	VanSant,
Bower,	Jones, Geo. E.,	Moscrip,	Vaughan,
Davis,	Jones, T. H. W.,	Quisenberry,	Weidner,
Down,	Kamyk,	Ragot,	Wood,
Erb,	Kent,	Rubin,	Worley,
Fleischman,	Leisey,	Sarraf,	Smith, C. C., Speaker
Frost,	Lippincott,		

NOT VOTING—34

Adam,	Goodling,	Naugle,	Stevenson,
Alexander,	Hall,	Pettigrew,	Tompkins,
Amarando,	Kratz,	Price,	Varner,
Bomberger,	Kromer,	Reagan,	Waterhouse,
Buchanan,	Lafore,	Royer,	Watkins,
Bullen,	Light,	Schmidt,	Wescott,
Cochran,	McCullough,	Shoemaker,	Whalley,
DuBois,	Metz,	Shotwell,	Wilt,
Floyd,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 633, Printer's No. 438,
House Bill No. 814, Printer's No. 449,
House Bill No. 1203, Printer's No. 447,
House Bill No. 1343, Printer's No. 440, and
House Bill No. 1376, Printer's No. 441

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 304, entitled:

An Act to further amend Secton 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain condition for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" by further regulating the licensing and conditions for transaction of such business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwea th for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 605) is hereby further amended to read as follows

Section 3 [The] Except as hereinafter provided the Insurance Commissioner shall issue adjusters' licenses and adjuster solicitors' licenses to persons partnerships associations or corporations applying therefor whom he deems to be trustworthy and competent to transact business as public adjusters and public adjuster solicitors respectively in such manner as to safeguard the interests of the public [but no] No license shall be issued to any person partnership association or corporation engaged or interested in or receiving any profit from nor shall the holder of any such license engage or be interested in or receive any profit from any salvage or similar business and no license shall be issued to any person partnership association or corporation interested in or receiving any profit from any fire or casualty insurance agency or insurance brokerage business nor shall the holder of any license issued pursuant to this act engage in or receive any profit from any fire or casualty insurance agency or insurance brokerage business

No licensed public adjuster shall directly or indirectly act within this Commonwealth as a public adjuster without having first entered into a contract in writing in a form approved by the Insurance Commissioner and executed in duplicate by the public adjuster and the assured or his duly authorized representative one copy of which contract shall be kept on file by the public adjuster open at all times to inspection without notice by the Insurance Commissioner his deputy or his examiners

No public adjuster solicitor shall use any form of contract other than that approved for the public adjuster for whom he is soliciting nor shall he make any contracts or agreements for himself or for the public adjuster other than such as are specified in the approved contract

Every licensed public adjuster shall keep a full record of his transactions as public adjuster open at all times without notice to the inspection of the Insurance Commissioner his deputy or his examiners showing (1) the name of the assured (2) the date location and amount of the loss (3) the name of the insurer amount expiration date and number of each policy of insurance carried with respect to such loss (4) an itemized statement of all recoveries by the assured from all sources (5) the name or names and addresses of any person or persons soliciting the adjustment and the date when solicited (6) the total compensation received for adjustment and the amount of commission salary or compensation paid to each employe and solicitor and (7) such other information as the Insurance Commissioner may require

Every public adjuster solicitor shall keep a full record of his transactions as such open at all times without notice to the inspection of the Insurance Commissioner his deputy or his examiners showing (1) the name of the assured (2) the date and location of the loss (3) the name or names and addresses of any person or persons soliciting the adjustment for or with him and the date or dates when solicited and (4) such other information as the Insurance Commissioner may require

No licensed public adjuster or public adjuster solicitor shall divide any fee or give any fee commission or other compensation to any person partnership association or corporation for procuring or assisting in procuring the adjustment or investigation of any claim arising out of a policy or policies of insurance surety or indemnity unless the person firm or corporation to whom such fee commission or other compensation is given or paid had at the time when the loss occurred a public adjuster or public adjuster solicitor's license issued and in force pursuant to the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) Provided that nothing in this section shall prevent a licensed public adjuster or public adjuster solicitor from paying any fee or fee commission to attorneys-at-law accountants other licensed public adjusters or public adjuster solicitors individually as a partnership associaiton or corporation for services rendered

A license issued to a corporation partnership or association shall authorize only the officers and directors of the corporation or the members of the partnership or association specified in the license The fee to be paid to the Insurance Commissioner by the applicant for a public adjusters' license at the time the application is made and annually thereafter for the renewal thereof shall be one hundred dollars If the applicant is a corporation partnership or association such fee shall be paid for each person specified in the license

The fee to be paid to the Insurance Commissioner by the applicant for a public adjuster solicitor's license at the time the application is made and annually thereafter for the renewal thereof shall be fifty dollars If the applicant is a corporation partnership or association such fee shall be paid for each person specified in the license

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—77

Ashton,	Hamilton, R. K.,	Mills,	Stoner,
Baumunk,	Hamilton, W. H.,	Moody,	Strausser,
Bolton,	Hewitt,	Moscrip,	Sucher,
Brown,	Hocker,	Naugle,	Thompson,
Buchanan,	Ide,	Ogilvie,	VanSant,
Bullen,	Johnson,	Peifly,	Wall,
Clapper,	Jones, Geo. E.,	Phillips,	Weidner,
Connelly,	Jones, Paul F.,	Price,	Wescott,
Davis,	Jones, T. H. W.,	Quisenberry,	Whalley,
Down,	Kent,	Ragot,	Wheeler,
Dunn,	Kerlin,	Readinger,	Willaredt,
Fenrich,	Kornick,	Richter,	Wood,
Ferster,	Kratz,	Royer,	Worley,
Fleischman,	Kromer,	Scott,	Yetzer,
Gibson,	Lafore,	Smith, W. B.,	Young,
Gleason,	Leisey,	Spencer,	Ziegler,
Gramlich,	Lippincott,	Stank,	Smith, C. C., Speaker
Greenwood,	Mahan,	Stevenson,	
Guss,	Markley,	Stimmel,	
Guthrie,	McInroy,	Stone,	

NAYS—95

Adam,	Harris,	Maxwell,	Reidenbach,
Alexander,	Haudenshield,	McCann,	Rosen,
Amarando,	Helm,	McCormack,	Rovansek,
Andrews,	Hersch,	McDermit,	Rubin,
Boles,	Hoggard,	McGee,	Schuster,
Boory,	Jenkins,	McWherter,	Schwartz,
Breth,	Jim,	Mihm,	Seyler,
Bucchin,	Jones, Gran'le E.	Mikula,	Snider,
Capano,	Jump,	Miller,	Taylor,
Cianfrani,	Kamyk,	Monroe,	Thomas,
Cioffi,	Keller,	Moran,	Toll,
Comer,	Kline,	Muldowney,	Toomey,
Conner,	Kohl,	Munley,	Varallo,
Coyle,	Kolankiewicz,	Murray, J. J.,	Wallace,
Curwood,	Kubacki,	Musto,	Walsh,
Dougherty,	Lederer,	Needham,	Wargo,
Downey,	Leonard,	Olsen,	Waterhouse,
Erb,	Leven,	Parlante,	Welsh,
Farabaugh,	Limper,	Peta,	White,
Filo,	Lopresti,	Petrosky,	Whitenight,
Flynn,	Lovett,	Pfaff,	Williams,
Frost,	Lutty,	Polaski,	Yeakel,
Glick,	Maguire,	Polen,	Zeitz,
Gutendorf,	Mathews,	Poltenstein,	

NOT VOTING—35

Auker,	Cochran,	Light,	Shoemaker,
Banker,	Cooper,	McCullough,	Shotwell,
Barkdoll,	DuBois,	Metz,	Tompkins,
Bazin,	Ewing,	Moore,	Varner,
Bear,	Flack,	Murray, P. G.,	Vaughan,
Blair,	Floyd,	Pettigrew,	Verona,
Bomberger,	Geer,	Reagan,	Watkins,
Bower,	Goodling,	Sarraf,	Wilt,
Breisch,	Hall,	Schmidt,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. THOMAS H. W. JONES.

The House resumed the consideration on final paasage of House Bill No. 894, as follows:

An Act to amend Section 316 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing a corporation by action of its board of directors to grant pensions allowances and stock options to its officers

and other employees under certain circumstances and validating pensions allowances and stock options heretofore granted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 316 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganizaiton winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 316 (a) Pensions and Allowances Every business corporations may by action of its board of directors grant allowances or pensions [out of the earnings of the corporation] to its directors officers [or] and employes and the officers and employes of a wholly-owned subsidiary corporation or any of them for faithful and long-continued service who have in such service become old infirm or disabled After the death of any such officer or employe either while in the service of the corporation or of a wholly-owned subsidiary or after retirement allowances may be granted to his or her dependents Provided that such allowances shall be reasonable in amount and paid only for a limited time And provided further that any such allowance unless part of an employe benefit plan or employment contract in effect at the time of retirement or death of the officer director or employe shall not exceed in total the amount of the compensation paid to him or her during the twelve months preceding retirement or death

(b) Stock Options Subject to the preemptive rights if any of the shareholders to subscribe to new issues of capital stock every business corporation may pursuant to action of its board of directors grant options to purchase shares of its capital stock to its officers and employes and the officers and employes of a wholly-owned subsidiary corporation or any of them as an incentive to service or continued service with the corporation or such subsidiary corporation or for such other consideratin or purpose and upon such terms as its directors including directors who may benefit by their action shall deem advantageous to the corporation In the case of options granted to persons who are officers or directors of the corporation or of a wholly-owned subsidiary corporation at the time of the directors' action such options either shall first be specifically approved by the holders of a majority of the shares entitled to vote thereon voted at a duly constitued meeting or shall be authorized by and consistent with a plan theretofore approved by such a vote of the shareholders

Section 2 This act shall be effective immediately upon final enactment and any pensions allowances and stock options within its purview heretofore granted or paid are hereby validated

On the question recurring,

Shall the bill pass finally?

Mr. THOMAS H. W. JONES. Mr. Speaker, this bill was debated at quite some length the other day and I do not wish to add a great deal thereto.

However, I would like to reassert my previous statements saying that this bill has nothing to do with any special interest. It is a lawyer's bill simply to clarify the law relating to corporations and the granting of pensions, allowances and stock options.

The bill has been backed and came to me as a departmental bill from the Department of State. It is also backed by the Bar Association.

I hope everyone will vote for it who can.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adam,	Gibson,	McCullough,	Shoemaker,
Amarando,	Gleason,	McDermit,	Shotwell,
Andrews,	Goodling,	McGee,	Smith, W. B.,
Ashton,	Gramlich,	McInroy,	Snider,
Banker,	Greenwood,	McWherter,	Spencer,
Barkdoll,	Guss,	Mihm,	Stank,
Baumunk,	Gutendorf,	Mikula,	Stevenson,
Bear,	Guthrie,	Miller,	Stimmel,
Blair,	Hall,	Mills,	Stone,
Boles,	Hamilton, W. H.,	Moody,	Stoner,
Bolton,	Haudenshield,	Moore,	Strausser,
Bomberger,	Helm,	Moscrip,	Sucher,
Boory,	Hersch,	Munley,	Thompson,
Bower,	Hewitt,	Murray, P. G.,	Toll,
Breisch,	Hocker,	Musto,	Tompkins,
Brown,	Ide,	Naugle,	Toomey,
Bucchin,	Jenkins,	Needham,	VanSant,
Buchanan,	Jim,	Ogilvie,	Varner,
Bullen,	Johnson,	Peifly,	Varallo,
Capano,	Jones, Geo. E.,	Petrosky,	Vaughan,
Clapper,	Jones, Paul F.,	Pettigrew,	Verona,
Cochran,	Jones, T. H. W.,	Pfaff,	Wall,
Comer,	Jump,	Phillips,	Wallace,
Connelly,	Kamyk,	Polaski,	Walsh,
Cooper,	Keller,	Polen,	Wargo,
Curwood,	Kent,	Poltenstein,	Waterhouse,
Davis,	Kerlin,	Price,	Weidner,
Dougherty,	Kline,	Quisenberry,	Wescott,
Down,	Kohl,	Ragot,	Whalley,
Downey,	Kornick,	Readinger,	Wheeler,
DuBois,	Kratz,	Reagan,	Whitenight,
Dunn,	Kromer,	Reidenbach,	Willaredt,
Erb,	Lafore,	Richter,	Williams,
Ewing,	Lederer,	Rosen,	Wilt,
Farabaugh,	Leisey,	Rovansek,	Wood,
Fenrich,	Limper,	Royer,	Worley,
Ferster,	Lippincott,	Rubin,	Yeakel,
Filo,	Lopresti,	Sarraf,	Yetzer,
Flack,	Lovett,	Schmidt,	Young,
Fleischman,	Mahan,	Schuster,	Zeitz,
Floyd,	Markley,	Schwartz,	Ziegler,
Flynn,	Mathews,	Scott,	Smith, C. C., Speaker
Frost,	Maxwell,	Seyler,	
Geer,	McCann,		

NAYS—31

Alexander,	Glick,	Leven,	Olsen,
Auker,	Hamilton, R. K.,	Lutty,	Parlante,
Bazin,	Harris,	Maguire,	Peta,
Breth,	Hoggard,	McCormack,	Taylor,
Cianfrani,	Jones, Gran'le E.	Monroe,	Thomas,
Cioffi,	Kolankiewicz,	Moran,	Welsh,
Conner,	Kubacki,	Muldowney,	White,
Coyle,	Leonard,	Murray, J. J.,	

NOT VOTING—3

Light,	Metz,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. THOMAS H. W. JONES.

The House resumed the consideration on final passage of House Bill No. 1401, as follows:

An Act authorizing corporations to grant stock options pensions and allowances under certain circumstances and validating stock options pensions and allowances heretofore granted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Stock Options Every corporation organized under the laws of this Commonwealth may pusuant to action of its board of directors grant options to purchase shares of its capital stock to its officers and employes and the officers and employes of a wholly-owned subsidiary corporation or any of them as an incentive to service or continued service with the corporation or such subsidiary corporation or for such other consideration or purpose and upon such terms as its directors including directors who may benefit by their action shall deem advantageous to the corporation In the case of options granted to persons who are officers or directors of the corporation or of a wholly-owned subsidiary corporation at the time of the directors' action such option either shall first be specifically approved by the holders of a majority of the shares entitled to vote thereon voted and consistent with a plan theretofore approved by such at a duly constituted meeting or shall be authorized by a vote of the shareholders The provisions of this section shall not alter or amend the provisions of existing law with respect to the preemptive rights of shareholders to subscribe to new issues of capital stock

Section 2 Pensions and Allowances All corporations organized under the laws of the Commonwealth of Pennsylvania including those corporations organized not for profit may grant allowances or pensions to officers directors or employes for faithful and long continued services and after the death of any such officer director or employe either while in the service of the corporation or after retirement pensions or allowances may be granted or continued to his or her dependents Provided That such allowances to his or her dependents shall be reasonable in amount and paid only for a limited time and Provided further that any such allowance unless part of an employe benefit plan or employment contract in effect at the time of retirement or death of the officer director or employe shall not exceed in total the amount of the compensation paid to him or her during the twelve months preceding retirement or death

Section 3 Validation of Prior Options Pensions and Allowances Any such stock options allowances or pensions heretofore so granted or paid are hereby validated

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question recurring,

Shall the bill pass finally?

Mr. THOMAS H. W. JONES. Mr. Speaker, I would like to say in connection with this particular bill that the same considerations are applicable as were to the last bill. Acordingly I would suggest that the Chair take the same vote if that is agreeable.

Mr. LOPRESTI. Mr. Speaker, I would like to interrogate the gentleman from Montgomery.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. LOPRESTI. I would like to have by way of explanation, the essential difference between this bill and the one we have just voted on. I am not arguing against the bill; I would just like to know the reason for the two bills.

Mr. THOMAS H. W. JONES. Mr. Speaker, House Bill No. 1401, which we are now considering, is a general bill, applying to all types of corporations. The preceding bill 894 applied only to business corporations.

The reason for the two bills was that the Department of State in drafting the bills apparently felt that they would like to have all the laws applying to business corporations in the business corporation law.

I think the gentleman is familiar with the way these things are printed. You get township codes, and school codes and so forth, and they wanted all laws applying to business corporations in their booklet on business corporation laws.

House Bill 1401 is included therefore as a general bill. It applies not only to business corporation provisions, but it also applies to other types of corporations which are not included in the business corporation laws.

More specifically those would include the banks, the insurance companies, the public utilities and perhaps most particularly the vast field of non-profit corporations, such as the Universities, hospitals, and that sort of institution.

Mr. LOPRESTI. I thank the gentleman.

Mr. TOLL. Mr. Speaker, may I interrogate the sponsor of the bill?

The SPEAKER. Will the gentleman from Montgomery permit himself to be further interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. TOLL. Mr. Speaker, do I understand in Section 3, that the word "so" following the word "heretofore" means options, allowances or pensions granted in acordance with this bill?

Mr. THOMAS H. W. JONES. Will the gentleman repeat his question, I do not have the bill handy?

Mr. TOLL. Mr. Speaker, Section 3, provides validation of prior options, pensions and allowances and any stock options allowances or pensions heretofore so granted or paid are hereby validated. Do I understand that the word "so" refers to those which are granted in accordance with the provisions of this bill?

Mr. THOMAS H. W. JONES. Mr. Speaker, I would say that is correct. In other words if they had been granted in accordance with the provisions of that bill, they would be all right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Ashton,	Greenwood,	McWherter,	Smith, W. B.,
Auker,	Guss,	Mihm,	Spencer,
Banker,	Gutendorf,	Mikula,	Stank,
Barkdoll,	Guthrie,	Miller,	Stevenson,
Baumunk,	Hall,	Mills,	Stimmel,
Bear,	Hamilton, W. H.,	Moody,	Stone,
Blair,	Haudenshield,	Moore,	Stoner,
Bolton,	Helm,	Moscrip,	Strausser,
Bower,	Hewitt,	Muldowney,	Sucher,
Breisch,	Hocker,	Murray, P. G.,	Thompson,
Brown,	Jenkins,	Naugle,	Toll,
Bucchin,	Johnson,	Ogilvie,	Tompkins,
Buchanan,	Jones, Geo. E.,	Peifly,	Toomey,
Bullen,	Jones, Gran'le E.,	Petrosky,	VanSant,
Capano,	Jones, T. H. W.,	Pfaff,	Varallo,
Clapper,	Jump,	Phillips,	Varner,
Connelly,	Keller,	Polaski,	Wall,
Cooper,	Kent,	Polen,	Wallace,
Davis,	Kerlin,	Poltenstein,	Walsh,
Dougherty,	Kline,	Price,	Waterhouse,
Down,	Kohl,	Quisenberry,	Weidner,
Downey,	Kornick,	Ragot,	Wescott,
DuBois,	Kratz,	Readinger,	Whalley,
Dunn,	Kromer,	Reagan,	Wheeler,
Erb,	Lafore,	Reidenbach,	Whitenight,

Ewing,	Lederer,	Richter,	Willaredt,
Ferster,	Leisey,	Rovansek,	Williams,
Filo,	Limper,	Royer,	Wilt,
Fleischman,	Lippincott,	Rubin,	Wood,
Flynn,	Lopresti,	Schmidt,	Worley,
Frost	Mahan,	Schuster,	Yeakel,
Geer,	Markley,	Schwartz,	Yetzer,
Gibson,	Mathews,	Scott,	Young,
Gleason,	McCullough,	Seyler,	Ziegler,
Goodling,	McInroy,	Shoemaker,	Smith, C. C., Speaker
Gramlich,			

NAYS—44

Adam,	Coyle,	Leonard,	Munley,
Alexander,	Fenrich,	Leven,	Murray, J. J.,
Amarando,	Glick,	Lovett,	Needham,
Andrews,	Hamilton, R. K.,	Lutty,	Olsen,
Bazin,	Harris,	Maguire,	Parlante,
Boory,	Hersch,	McCann,	Rosen,
Breth,	Ide,	McCormack,	Snider,
Cianfrani,	Jim,	McDermit,	Taylor,
Cioffi,	Kamyk,	McGee,	Thomas,
Comer,	Kolankiewicz,	Monroe,	Welsh,
Conner,	Kubacki,	Moran,	White,

NOT VOTING—22

Boles,	Floyd,	Metz,	Shotwell,
Bomberger,	Hoggard,	Musto,	Vaughan,
Cochran,	Jones, Paul F.,	Peta,	Verona,
Curwood,	Light,	Pettigrew,	Wargo,
Farabaugh,	Maxwell,	Sarraf,	Watkins,
Flack,			Zeitz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. THOMAS H. W. JONES.

The House resumed the consideration on final passage of House Bill No. 1216, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters

On the question recurring,

Shall the bill pass finally?

Mr. THOMAS H. W. JONES. Mr. Speaker, this bill was brought back on the calendar the other day and gave rise to a rather lengthly discussion.

I do not want to go through it all again, but I would like to repeat that this little park which we are fighting about is with us simply a matter of principle. The park has suffered from dual control ever since its inception. It is theoretically a state park, yet it is run by the Fairmount Park Commission of Philadelphia. The only difficulty with that is that it is not physically connected with the Philadelphia park. It is many miles away from it, and the parcels comprising the Montgomery County park are themselves not contiguous with one another. It is just a lot of scattered pieces of land up in Montgomery County.

I talked to the Secretary of Forests and Waters about this matter because he was the one who gave this bill to us for introduction, and he said he felt over the years, without having any particular, special appropriations for it, that he could make something out of it were it placed solely under his control and authority.

In that connection several of my colleagues spoke to me about another bill that is in the House now to transfer the management of this park along with a number of other historical parks to the Pennsylvania Historical Museum Commission. That bill is still in Committee, and I have no particular quarrel with the idea behind that bill. I have not thought much about it; it may be perfectly all right. The point is we do not like the control it is under now, because our Fort Washington Park amounts to absolutely nothing.

In conclusion, some of you may wonder how Fort Washington Park happened to develop its peculiar management set-up—why a park in the middle of our county should be placed under the control of the Fairmount Park Commission of Philadelphia. I do not want to go too far back in history. Merely to say that the reason for it was that a powerful political figure in Philadelphia at one time had a home in Montgomery County and he thought it would be a nice idea to extend Fairmount Park out to the neighborhood of his home. That is why the park was developed in that way. Of course, the idea was too grandiose in its conception ever to have amounted to anything. No money was appropriated to fulfill the idea, so we are left with these scattered parcels of real estate which we very much would like to see put together as a good park.

Something has just come up. I wonder if the Speaker would pass this over temporarily?

BILL PASSED OVER

There being no objection,

House Bill No. 1216, Printer's No. 326,

was passed over at the request of Mr. THOMAS H. W. JONES.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GRANVILLE E. JONES.

The House resumed the consideration of final passage of House Bill No. 649, as follows:

An Act to amend subsection (g) of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by providing that

persons with fifteen or more years of experience as apprentices shall pass an examination based on practical experience only

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (g) of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" is hereby amended to read as follows

Section 3 Application for License Qualifications of Applicants

* * * * *

(g) Any person applying for examination and licensure before the first day of January one thousand nine hundred fifty-three may offer in lieu of the foregoing educational requirements fifteen or more years' experience as an apprentice to a licensed undertaker or funeral director and such person until he shall have taken and passed [the] an examination based on practical experience only shall be considered a resident trainee

Any person having the qualifications prescribed by subsection (b) of this section registered as a student apprentice under the provisions of existing law or enrolled as a student in a school of embalming prior to the effective date of this act and who has continuously thereafter served as a student apprentice or continued his studies in a school of embalming or either shall be entitled to take the examination for license to practice as a funeral director after he has had practical experience in the business or profession of funeral directing for two years continuously as a resident trainee and has completely embalmed at least twenty-five (25) bodies

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question recurring,

Shall the bill pass finally?

Mr. GRANVILLE E. JONES. Mr. Speaker, I did not talk on House Bill 649 when it was on the calendar the other day, but today I feel it is my duty to bring to the Members of this House a situation that is pathetic, a situation and a condition that is unfortunate for the people who are interested in this bill. I want to bring to the attention of the Members of the House why this bill concerns them.

Mr. Speaker, I will bring you the facts that exist, where the rights of these people have been denied and all who are concerned.

These people have been looked upon as incompetent and unscrupulous. I will point out their experience, their ability, their training and skill in the professions of embalming and funeral managerial experience and why they come to the Legislature for consideration, that you should hear their story.

I will also show why in 1931 the Act was invalidated. For the same reason, Act 522, the existing law, is being encroached upon by these same individuals.

It will soon be a matter for the Joint State Government Commission to investigate the action of the Board and to study the working and the functioning of the Board.

House Bill 649 amends sub-section (g) of Section 3 approved January 14, 1952, known as the "Grandfather Clause" which reads as follows:

Any person applying for examination and licensure before the first day of January 1953 may offer in lieu of the foregoing educational requirements, 15 or more years' experience as an apprentice to a licensed Funeral Director and such person until he shall have taken and passed an examination based on practical experience only shall be considered a resident trainee.

Since the enactment of Act 522 on May 25 of this year, this will be the third examination for applicants for Funeral Directors' licenses, and those who have filed under the 15-year clause, or the grandfather clause, have never been called.

They were expected to be given examinations held in Pittsburgh on May 25. This has been postponed until the Fall. Just recently they have set up a date which shall be now the 17th day of August. These people are wondering if the Grandfather Clause is a joker in the Act 522. The Board has made no mention of such an examination to the applicants. They would not have known, had it not been for the schools and embalming colleges informing them that there was going to be such an examination; otherwise they would not have known anything of it.

It was rumored that the board was going to give this group a traineee's license or certificate; they are now considered as trainees if they filed before the first day of January, 1953. They are expecting a license to practice as Funeral Directors.

There are widows throughout the state that will also come under the 15-year plan. The State Legislature of Maryland passed a law in 1947 to take care of those who were in the same category as Section 3 Subsection (g) of Act 22. They were granted a license without an examination.

House Bill 649 asks for an examination based on practical experience only. Some of these individuals have from 15 to 30 years of practical training in embalming and managerial experience.

These people expect you to act as their spokesmen in the General Assembly to give them a chance to maintain their livelihood, and to continue to raise their families by the only work they have trained for and know of. When we think in political terms, they are also our constituents, as well as those who are members of the various organizations or associations that seek to pressure the Legislature for laws to take care of them.

The Board of Chiropractors took care of this situation and they have no more of this kind of legislation before them. Why don't the Board of Funeral Directors do likewise?

I will give you the real reason these bills are drawn:

Back in 1930 there were two Undertakers' Assistants Associations of men and women. One was white; the other was colored. The colored association gave a banquet for their employers, who were members of Undertaker's Associations, local, state and national. Now it is called Funeral Directors' Association. They were told at this affair how they wanted to work with them to keep up the standards of the profession and they praised the Assistants' Association to the highest.

The white Association had sponsored a bill here in the House called the Embalmers' bill. Then the two associations became united and I was made the Secretary. We had over 500 members throughout the state.

The late President of the Funeral Directors' Association for Pennsylvania called a meeting and issued an

order to their members to dismiss any employee that belonged to the Assistance Association, and that they were unscrupulous and seek to lower the profession. This put fear into our members so they did not appear in person any more, but communicated otherwise. I know in one instance where the employer picked his man up by the seat of his pants to throw him out of the door of this establishment. The employee had to turn his letter back to the association to prove that he was not with this Association anymore, and he worked in this office long after that employer was made to quit by the other partner in business, because of irregularities in office.

These people are skilled in their profession, and recognized as such by the Directors they work for and the clientele they service.

Had the members of this Assembly taken the right thought years ago when these embalmers bills were up, and passed them, these individuals would have been licensed and protected and the issue settled once and for all.

Yes, you have received all kinds of communications from Funeral Homes and the Funeral Directors Association, telling you how bad these bills are, and these people don't know the health rules and so forth. You have not received any communications from this group. If they did send any form of communication to you, letting you know the advantages of these bills to remain in their jobs and be protected, the Lobbyists or the Representative of the Funeral Directors' Association would have their employers contacted to discharge all that communicated with the Members of this House! So they have no one to tell you their story or troubles. I was requested, the same as the other sponsors of these Bills, to draft such legislation for them that the Members might think of their livelihood and family, in order to keep them from becoming relief recipients because of the Board's action to disqualify them, with the help of the F.D.A. and other pressure groups. I will reiterate that these people with their families and friends are your constituents the same as the Funeral Directors or the Funeral Directors' Association.

Some of you have been told that this is a Philadelphia bill. For the information of the Members of the Assembly, I will read into the record where these applicants are from that have filed with the board before the dead line January 1, 1953, under the grandfather clause or the 15 year plan, which I now hold in my hand.

The Senators made this a 15 year plan in 1951. The bill originally was 20 years when it passed the House. The reason they changed it to read 15 years instead of 20 years, is that they were interested in these people.

Mr. Speaker, where else could these people go? They come here to the General Assembly to be given an opportunity; the same place the members of the Board must come; the same place the associations must come; the same place all of the Department officials must come and the same place that His Excellency, the Governor, must come for consideration.

Some of the women are widows, operating their husband's estates in this plan. They ask your help also.

Mr. Speaker, I ask the Members of this Assembly for the support of this bill for the forgotten men and women of this profession who have given their service to an important and a worthy cause, who now ask to be protected.

I now offer for the record a list of places where these applicants come from. You will find them, Mr. Speaker and Members, from your counties, various areas or townships in your own counties. You may look them up and talk with them and you will find the information that I have given will be given to you. They are not in a position to come here and buttonhole you and I to tell you the advantages of this bill because they have had fear instilled into them for fear they would lose their job.

Archibald
Altoona
Ardmore
Avoca
Annville
Blossburg
Beallsville
Beaver Falls
Beaver Meadows
Berwick
Bradford
Boswell
Birdsboro
Bainbridge
Berlin
Bridgeville
Bethlehem
Chester
Centerport
Connellsville
Carbondale
Dickson City
Duboise
Duncansville
Duryea
Erie
Easton
Elizabethtown
East Greenville
Forty-Fort
Frackville
Farrell
Glen Rock
Grassflat
Homestead
Hanover
Hollidaysville
Hawley
Honesdale
Havertown
Johnstown
Jeannette
Lebanon
Lewistown
Monessen
Millvale
Media
Monongahela
New Castle
New Kensington
Mt. Pleasant.
Nanticoke
Madison
Manheim
McKeesport
New Freedom
Osceola Mills
Plymouth
Pittston
Philadelphia
Plains
Penn Wynn
Pittsburgh
Reading
Scranton
State College
Saltsburg
Strasburg
Sipesville
Schuylkill Haven
Saxton
Shamokin
Scottdale
Slatington
Sweet Valley
Lansdowne
Stony Creek Mills
Sunbury
West View
Warren
Wellsboro
Wilmerding
Uniontown

I ask the Members of the House to remember these people. This is the only alternative they have. If this bill goes down, they are completely wiped out of existence.

I ask the Members to protect them.

Mr. WOOD IN THE CHAIR

Mr. PFAFF. Mr. Speaker, I rise to support this bill. I will be very brief because I believe it has plenty of merit. In the 1951 session of the Legislature, we passed a bill known as Act 522, which would grant men and women who had the experience to qualify to become funeral directors. I am reliably informed that about 200 have availed themselves of that opportunity. They did apply before the dead line. They had the examination ahead.

Now I think in the interest of people, the men and women, who did not have the value of early education

to pass the educational requirements and have had as many years of experience, should receive some consideration.

I say in defense of this bill, under the terms of Act 522, known as the grandfather's clause, any of these applicants who have applied before the deadline, if they cannot qualify under the experience rating they should have, then the Funeral Directors' Association has the right to reject them. But if they can qualify under an experience rating I think they should have that opportunity.

Mr. FILO. Mr. Speaker, I rise in opposition to this bill. The Pennsylvania Funeral Directors' Association is against the bill and the Allegheny County Funeral Directors Association is also against the bill.

I feel that under the Act of 1951, Act 522, these men were given the opportunity, and if I am correct they will be given a chance to apply and take examinations for their licenses at the end of this year, at Philadelphia.

The speaker before me has mentioned that a number of men who had been in this profession 30, 20 or probably 15 years, to me it seems that if they have not made up their minds in 30, 15 or 20 years, it is certainly getting quite late in life to make up their minds to become funeral directors.

There are numerous men that were taken in and given a good job by an undertaker and just standing around in an undertaking establishment, could probably qualify to become a funeral director.

I also want to state, that a number of schools arose after the second World War, embalming schools. I have reference to one in Pittsburgh; they took in G. I.'s. They paid for their training. They learned the trade and they are qualified to pass state examinations.

Now we have created a hardship by making these boys go to school. These fellows and other fellows applying under this Act, would get in free.

We feel that Act 522 was sufficient and that we should vote this bill down. We voted for Act 522, passed it. I feel that we have a good piece of legislation and I do not think we should tear that legislation apart.

Mr. GRANVILLE E. JONES. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Filo.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. I shall, Mr. Speaker.

GRANVILLE E. JONES. The gentleman is the Superintendent of the City Morgue of Pittsburgh, Allegheny County, is that right?

Mr. FILO. That is correct.

Mr. GRANVILLE E. JONES. Does the gentleman recall in 1951 when this House was in Session, the same Act 522 was in progress, the Funeral Directors were meeting and holding an examination in Pittsburg, sometime in May? Does the gentleman also recall that he asked the House to be excused for that week because of that examination?

Mr. FILO. I do not recall that, but I may have.

Mr. GRANVILLE E. JONES. If the gentleman will look at the records I think he will find his statement there.

Mr. FILO. That could be true.

Mr. GRANVILLE E. JONES. Does the gentleman also recall on May 25th of this year he still was in that capacity as the Superintendent of the Morgue?

Mr. FILO. That is true.

Mr. GRANVILLE E. JONES. I think if I were to raise the question to the gentleman how was it he was here in Harrisburg he said "The Board can get along without me," is that true? They can get along without you?

Mr. FILO. Mr. Speaker, I have nothing to do whatever with the State Board. The only reason that I probably would have wanted to be back home is the fact that there are quite a number of things that you have to help out with, facilities and so forth. There are probably about two or three hundred men at the time taking examinations. I certainly felt that maybe I could probably assist in some way or in some manner be of some assistance to the State Board.

Mr. GRANVILLE E. JONES. Could the gentleman recall how many applicants were taking examinations May 25 of this year?

Mr. FILO. I believe it was less than two hundred, I am not sure.

Mr. GRANVILLE E. JONES. I see. Then you say there were quite a number in 1951.

Mr. FILO. In 1951 there were probably about 200 or 300.

Mr. GRANVILLE E. JONES. The gentleman felt as though he could render them some service in 1951?

Mr. FILO. Mr. Speaker, I do not think this is pertinent to the bill that we are discussing.

Mr. Speaker, may I tell the gentleman, that I have nothing to do with the Funeral Directors' Association. I am not a member of the association. I have nothing to do with the State Board, that is the Funeral Directors' Examining Board.

Mr. GRANVILLE E. JONES. Mr. Speaker, I raised the issue simply because this is the gentleman who made that statement in 1951, and I raised an issue with him myself back in 1951 covering the same situation which the same bill deals with, applicants who have come before the board for examination. He was interested then and he seems to be interested now. I would like to know his position as to why he would like to have the bill defeated in respect to his statement about these men who have 10, 15, 20 years, for the information of the gentleman and the Members of this House, that is if they have fear instilled in these people.

I know the names of some establishments where the applicants have filed, and the moment it had reached their employers, they were ready to be dismissed. There had been an impediment for a number of years, not only this. Those individuals had been gypped even if they wanted to go to schools or colleges; they were made to do anywhere from eight to ten, twelve and fourteen hours per day; they certainly were not in a position to put in any school hours.

That has impeded their progress. No one is able to have the finances to go to school, where the tuition is some $800 to $1,000. That had been the impediment of those individuals from then up until now.

I still ask the Members of this House, please remember these individuals. They want to live. They have helped to establish many of these homes and they deserve a right to stand before the board for practical examination.

Mr. FILO. Mr. Speaker, the gentleman raised the

question as to why I should be interested in this legislation. He is interested in the same legislation on the opposite side.

I am interested in this legislation because of the fact that in my district, I have been asked to vote against this bill and I do hope the Members of this House will support my action.

Mr. GUSS. Mr. Speaker, the passage of House Bill No. 649 would be a grave injustice to the funeral profession. We are constantly striving to raise the standards and are increasing the educational requirements along all lines.

This bill is just the same as giving someone a license to practice medicine or be a lawyer just because he or she has worked in that kind of an office.

As a funeral director, my Pennsylvania Funeral Directors' Association is opposed to the passage of Bill 649. This would automatically give 210 persons the privilege to take an examination without college preparation, just fifteen years experience.

Mr. GRANVILLE E. JONES. I want to reply to Mr. Guss; I want to answer his statement.

The Board has the prerogative to pass whatever they well may. These individuals feel, though how much qualified they may be, that the board can flunk every one of the 210 on that list. I am not sure how many there are. They can subject them to a rigid examination. Some of them are in a position to pass. They have a college background, but there are others who have had a long point of service with the qualification on service. The board can automatically flunk them. They may just as well stay home; there is no need for them to file because the board will give them such a rigid examination that it would be a waste of time and money.

Mr. PFAFF. Mr. Speaker, in further defense of this bill.

I am not interested, and I do not believe that any of the Members of the House are interested in lowering the standards of the undertaking profession, but I do believe that under our free enterprise system which we talk so much about, these people should qualify under Act 522. This in my opinion is a further directive that the Funeral Directors' Association should give these people an examination strictly on their merits and ability from the experience angle only. I do believe that any of us who have read this bill have no intention of lowering the standards of the undertaking profession, but we do believe that it will be not harmful to the people of Pennsylvania, if these people could qualify on their experience ability. It certainly would not hurt the people of the Commonwealth and I think it should be supported.

Mr. FILO. Mr. Speaker, the gentleman stated that the State Board would make it rought on a lot of these men who were taking their examinations. I take exception to that statement. I happen to be a Member on the Democratic side, I know that the State Funeral Board is composed of Republican members, and I have found that they have been doing a wonderful job, a just job, because when they have examinations they do not sort out whether they are Democratic or Republican.

I think they do a just job, and I think his statements are incorrect.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—66

Adam,	Flynn,	McDermit,	Rosen,
Alexander,	Frost	McGee,	Rovansek,
Andrews,	Glick,	Mikula,	Rubin,
Baumunk,	Harris,	Miller,	Schmidt,
Bazin,	Hersch,	Mills,	Schwartz,
Boory,	Hoggard,	Monroe,	Scott,
Breth,	Jones, Gran'le E.	Muldowney,	Stank,
Bucchin,	Kolankiewicz,	Munley,	Taylor,
Capano,	Lederer,	Needham,	Toll,
Cianfrani,	Leven,	Parlante,	Varallo,
Comer,	Limper,	Peta,	Wall,
Connelly,	Lopresti,	Petrosky,	Wescott,
Conner,	Lovett,	Pfaff,	White,
Coyle,	Lutty,	Polen,	Williams,
Dougherty,	Maguire,	Poltenstein,	Yetzer,
Dunn,	Mathews,	Readinger,	Zeitz,
Farabaugh,	McCormack,		

NAYS—102

Ashton,	Greenwood,	Lippincott,	Stimmel,
Auker,	Guss,	Mahan,	Stone,
Banker,	Gutendorf,	Markley,	Stoner,
Barkdoll,	Guthrie,	McInroy,	Strausser,
Bear,	Hamilton, R. K.,	Mihm,	Sucher,
Blair,	Hamilton, W. H.,	Moody,	Thomas,
Bower,	Haudenshield,	Moran,	Thompson,
Brown,	Helm,	Moscrip,	Tompkins,
Buchanan,	Hewitt,	Murray, P. G.,	Toomey,
Bullen,	Hocker,	Naugle,	VanSant,
Cioffi,	Ide,	Ogilvie,	Vaughan,
Clapper,	Jim,	Olsen,	Verona,
Cooper,	Johnson,	Phillips,	Wallace,
Davis,	Jones, Geo. E.,	Polaski,	Walsh
Down,	Jump,	Price,	Waterhouse,
Downey,	Kamyk,	Quisenberry,	Weidner,
DuBois,	Keller,	Ragot,	Welsh,
Erb,	Kent,	Reagan,	Whalley,
Ewing,	Kerlin,	Richter,	Whitenight,
Fenrich,	Kohl,	Sarraf,	Willaredt,
Filo,	Kratz,	Schuster,	Wood,
Geer,	Kromer,	Seyler,	Worley,
Gibson,	Kubacki,	Smith, W. B.,	Yeakel,
Gleason,	Lafore,	Snider,	Young,
Goodling,	Leisey,	Stevenson,	Ziegler,
Gramlich,	Leonard,		

NOT VOTING—29

Amarando,	Floyd,	McCullough,	Shoemaker,
Boles,	Hall,	McWherter,	Shotwell,
Bolton,	Jenkins,	Metz,	Spencer,
Bomberger,	Jones, Paul F.,	Moore,	Varner,
Breisch,	Jones, T. H. W.,	Murray, J. J.,	Wargo,
Cochran,	Kline,	Musto,	Watkins,
Curwood,	Kornick,	Peifly,	Wheeler,
Ferster,	Light,	Pettigrew,	Wilt,
Flack,	Maxwell,	Reidenbach,	Smith, C. C., Speaker
Fleischman,	McCann,	Royer,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

TIME EXTENDED ON BILL

Mr. GUTENDORF asked and obtained uanimous consent to extend the time five days on House Bill No. 623, Printer's No. 232, on page 24 of today's calendar, bills on final passage postponed.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Lancaster, Mr. Wood, for presiding.

ANNOUNCEMENT

The SPEAKER. At this time the Chair will declare a recess of one hour and a half, but first would ask that

the Members get their lunch during the first half hour. There will be a very important caucus of the majority party and of the Minority Party starting at 3:30, DST, 2:30 EST.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one and one-half hours. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR

BILLS ON SECOND READING

The SPEAKER. Without objection, the Chair will return to the second reading calendar. The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 960, entitled:

An Act prohibiting the city solicitor of Philadelphia from engaging independent counsel in litigation or other legal work of the city; and prohibiting the payment from city funds therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1276, entitled:

An Act to amend Section 12 of the act, approved the second day of June, one thousand eight hundred seventy-one (P. L. 1301), entitled "An act to establish and maintain for the city of Philadelphia, a house of correction, employment and reformation for adults and minors," by authorizing judges or magistrates to discharge inmates whom they have committed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1277, entitled:

An Act to further amend the act approved the fifteenth day of June, one thousand nine hundred thirty-seven pensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of (P. L. 1743), entitled, as amended, "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by fixing time for which dockets, books and papers of magistrates' courts shall be kept; establishing a Traffic Court of Philadelphia and prescribing the powers and duties and jurisdiction of said courts and the magistrates assigned thereto; providing for a seal for such court and the costs taxable therein; and repealing certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1281, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for parks, recreation areas and facilities.

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. AUKER offered the following amendment:

Amend Sec. 4, (Sec. 3709), page 9, line 16, by inserting after "may" "subject to approval of the electorate after submission of a question in the manner provided by law."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1405, entitled:

An Act to amend Section 1 of the act, approved the twelfth day of June, one thousand nine hundred thirteen (P. L. 492) entitled "An act authorizing cities of the first and second class to compensate employees for time lost, while in the employ of the city, as a result of injuries, sickness or disablement of any kind sustained while in the performance of their duties," by excluding firemen in cities of the first class, from the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1446, entitled:

An Act requiring cities of the first class to pay portions of their compensation heretofore withheld, to officers and men employed in the police departments, fire department and park guards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

HOUSE RULE 81 SUSPENDED

Mr. JOHNSON. Mr. Speaker, I move that that part of House Rule 81 which places a time limit of five days in which a motion to reconsider is permitted, be suspended for the specific purpose of the immediate consideration

of motions to reconsider the vote by which House Bill No. 909, Printer's No. 169 was defeated on final passage, Wednesday, June 10, 1953; and by which House Bills 908 and 909 passed third reading, April 27, 1953.

On the question,

Will the House agree to the motion?

On a rising vote, one hundred seven Members or more than a majority-elect having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Vaughan, for the purpose of making a motion to reconsider the vote on final passage and third reading on House Bill No. 909.

RECONSIDERATION OF VOTE ON HOUSE BILL 909

Mr. VAUGHAN. Mr. Speaker, I move that the vote by which House Bill No. 909, Printer's No. 169, entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

was defeated on final passage, Wednesday, June 10, 1953, be reconsidered.

Mr. DUNN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Vaughan vote on the final passage of this bill?

Mr. VAUGHAN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Northumberland, Mr. Dunn vote on the final passage of this bill?

Mr. DUNN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. VAUGHAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. VAUGHAN, SHOTWELL, PEIFLY, KOHL, BAUMUNK, MIKULA, IDE, PHILLIPS, THOMAS H. W. JONES, DUNN and GLEASON asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 102, page 5, lines 14 and 15, by striking out "except when sold by hotels restaurants or any like dispensers of food products"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, I yield to the gentleman from Monroe, Mr. Shotwell.

Messrs. SHOTWELL, DUNN, PEIFLY, KOHL, IDE, THOMAS H. W. JONES, WHALLY, VAUGHAN, GLEASON, PHILLIPS, BAUMUNK and BOLTON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 102, page 6, by inserting between lines 2 and 3 "(n) Sale of clothing and shoes but not jewelry or any other object not worn primarily to cover the human body against nakedness or cold."

Amend Sec. 102, page 6, line 3, by striking out "(n)" and inserting in lieu thereof "(o)."

Amend Sec. 102, page 6, line 15, by striking out "(o)" and inserting in lieu thereof "(p)."

Amend Sec. 102, page 6, line 16, by striking out "(p)" and inserting in lieu thereof "(q)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on final passage of House Bill No. 908, as follows:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment reassessment and collection of the same and the settlement and appeals therefrom requiring sertain foreign dealers to register and obtain permits and to make returns prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move to reconsider the vote by which House Bill No. 908, Printer's No. 168, passed third reading.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on the third reading of this bill?

Mr. HELM. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Vaughan.

Messrs. VAUGHAN, SHOTWELL, PEIFLY, MIKULA, KOHL, BAUMUNK, IDE, THOMAS H. W. JONES, PHILLIPS, DUNN and GLEASON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 102, page 4, line 19, by striking out "except when acquired from hotels restau-"

Amend Sec. 102, page 5, line 1, by striking out "rants or any like dispensers of food products"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, I yield to the gentleman from Northampton, Mr. Ide.

Messrs. IDE, DUNN, KOHL, PEIFLY, WHALLEY, BAUMUNK, THOMAS H. W. JONES, VAUGHAN and PHILLIPS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 102 page 5, by inserting between lines 8 and 9 "(m) Clothing and shoes but not jewelry or any other object not worn primarily to cover the human body against nakedness or cold."

Amend Sec. 102, page 5, line 9, by striking out "(m)" and inserting in lieu thereof "(n)."

Amend Sec. 102, page 6, line 2, by striking out "(n)" and inserting in lieu thereof "(o)."

Amend Sec. 102, page 6, line 3, by striking out "(o)" and inserting in lieu thereof "(p)."

Amend Sec. 102, page 6, line 5, by striking out "(p)" and inserting in lieu thereof "(q)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RULES 41 AND 45 SUSPENDED

Mr. JOHNSON. Mr. Speaker, I move that House Rule 41 and that part of House Rule 45 relating to the Calendar be suspended for the specific purpose of considering House Bills 908 and 909 on final passage.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, would the Majority Leader inform the House as to the intent and purpose of the motion he has just made? What is its parliamentary effect?

Mr. JOHNSON. Mr. Speaker, we have probably worked quite fast. We have amended House Bills 909 and 908. The bills as amended and printed in final form are being placed on the Members' desks at the present time.

The bill titles are not on the printed calendar, and the effect of the motion is to dispense with the requirement that the bill titles be on the printed calendar.

Mr. ANDREWS. We do not object, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

On a rising vote, one hundred seven Members or more than a majority-elect having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

HOUSE BILLS 909 AND 908 MADE A SPECIAL ORDER

Mr. JOHNSON. Mr. Speaker, I move that House Bill 909 and House Bill 908 be made a special order of business for consideration on final passage immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the Special Order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 909, as follows:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

Article I

Short Title and Definitions

Section 101 Short Title This act shall be known and may be cited as the "Consumers Sales Tax Act"

Section 102 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Business" Any and all activities engaged in or caused to be engaged in with the object of gain or economic benefit direct or indirect

(2) "Department" The Department of Revenue of this Commonwealth

(3) "Sale Price" The amount received in money credits or intangible property from sales at retail without deduction on account of the cost of property sold amounts paid for interest discounts losses or any other expenses or burdens whatsoever in computing sale price there may be deducted any credit actually given or refund actually paid for goods returned and any credit actually given or allowance actually made for any tangible personal property actually taken in trade or exchange for the whole or any part of the sale price of the property sold

(4) "Person" Any natural person firm partnership association corporation fiduciary or other entity carrying on business Whenever used in any provision of this act which prescribes or imposes a fine or imprisonment or both the term "person" as applied to a firm partnership or association shall include the members thereof and as applied to a corporation the officers thereof A firm partnership association or a corporation may be subjected as an entity however to the payment of a fine

(5) "Purchaser" Any person who purchases tangible personal property in any transaction taxable under this act

(6) "Seller" Any person engaged in the business of selling tangible personal property at retail and it shall be immaterial whether the goods sold are or are not manufactured or produced by the seller

(7) "Sale at Retail" Any transaction by which the ownership of tangible personal property is transferred for a consideration when such transfer is made in the ordinary course of the transferor's business and is made to the transferee for consumption or use The term "sale at retail" includes any rental bailment lease conditional sale and any other transaction under whatever name or form whereby title being retained for security is ultimately to pass to the purchaser or whereby possession is transferred in lieu of a transfer of title

The term "sale at retail" does not include

(a) Sales for the purpose of resale of tangible personal property in its original form

(b) Any isolated sale of tangible personal property by one not a seller

(c) Any isolated sale of tangible personal property by one who though a seller is not such a seller with respect to the article sold but all sales by a seller shall be presumed to be sales at retail

(d) Sales of intoxicating liquors including malt and brewed beverages

(e) Sales of cigarettes

(f) Sales of gasoline and other motor fuels

(g) Sales of utility services the gross receipts from which are taxed by the Commonwealth

(h) Sales to the Commonwealth or any of its agencies or political subdivisions or to authorities created by or pursuant to law

(i) Sales to the United States or any of its agencies

(j) Sales in interstate and foreign commerce but only in the instances and to the extent that the Commonwealth is prohibited from taxing such sales by the Constitution of the United States

(k) Sales of newspapers magazines and other periodicals

(l) Sales of medicine on prescription sales of crutches wheelchairs for the use of cripples and invalids and when designed to be worn on the person of the purchaser or user artificial limbs artificial eyes and artificial hearing devices sales of false teeth by a dentist and the materials used by a dentist in dental treatment sales of eyeglasses when especially designed or prescribed by an opthalmologist oculist or optometrist for the personal use of the owner or purchaser and sales of artificial braces and supports designed solely for the use of crippled persons

(m) Sales of bakery products milk groceries and meat as food products for human consumption For the purposes of this clause (i) "milk" shall mean raw milk products from domestic animals or such milk when processed or canned (ii) "groceries" shall mean all food products and all food ingredients for human consumption or for use in the preparation thereof for human consumption ordinarily sold in grocery stores except candies confections soft drinks tobacco or tobacco products (iii) "meat" shall include the flesh of animals fish sea food poultry and game

(N) Sale of clothing and shoes but not jewelry or any other object not worn primarily to cover the human body against nakedness or cold

(O) Sales of Tangible Personal Property (i) which is to be used in fabricating compounding or manufacturing tangible personal property or in producing public utility service to be sold ultimately at retail or (ii) which is to be used in the process of farming agriculture or horticulture and which in either event becomes an ingredient or component part of the fabricated compounded or manufactured tangible personal property or public utility product or of the product of farming agriculture or horticulture or is consumed in the process of fabrication compounding manufacturing or producing or in the process of farming agriculture or horticulture or (iii) which is to be used in the production or delivery of public utility service

(P) The performance of personal service

(Q) Sales of tangible personal property intended for incorporation and incorporated into a building road street bridge or other structure provided such property is so incorporated pursuant to a contract entered into prior to the effective date of this act and provided further that the person so incorporating such property submit to the department proof of the facts in such form as the department may require

(8) "Tangible personal property" Corporeal personal property including but not restricted to goods wares and merchandise The term "tangible personal property" does not include money deposits in banks shares of stock bonds notes credits or evidence of an interest in property or evidence of debt

(9) "Tax" Any tax interest or penalty imposed or levied under the provisions of this act

(10) "Taxpayer" Any retail dealer or any person making sales taxable under this act

(11) "Ultimate consumer" As referring to any tangible personal property any person who uses or consumes such tangible personal property

(12) "Wholesale dealer" Any person engaged in the business of selling tangible personal property to retail dealers for resale only and not for personal use or consumption

Article II

Imposition and Collection of Tax

Section 201 Imposition A tax is hereby imposed upon each separate sale at retail within this Commonwealth which tax shall be collected by the seller from the purchaser and shall be paid over to the Commonwealth as herein provided

Section 202 Amount of tax (a) The rate of tax shall be one per centum (1%) of the sale price of each separate sale at retail

(b) The tax shall be computed as follows

(1) Where the consideration is ten cents or less no tax shall be collected

(2) On each sale where the consideration is from eleven cents to one dollar both inclusive the tax shall be one cent

(3) On each sale where the consideration is in excess of one dollar the tax shall be one cent on each additional dollar or fraction thereof

Section 203 Purchaser to Pay Accounting by Sellers The seller shall in each case demand the tax from the purchaser and the purchaser shall pay the same to the seller The seller shall keep the amount of all of the taxes so paid to him by all purchasers in a fund separate and apart from the proceeds of the sales and from all his other funds unless the department otherwise directs If the department shall authorize any seller to commingle the proceeds of the tax with the proceeds of sale the claim of the Commonwealth for the tax shall be enforceable against and shall take precedence over all other claims against the commingled fund Each seller shall as hereinafter provided account to the Commonwealth for the entire amount of all taxes collected from purchasers

Section 204 Total Amount Collected to be Remitted No profit other than the compensation provided for in section two hundred thirteen shall accrue to a seller or other person from the collection of any tax imposed by this act Any person collecting any such tax shall return and remit the total amount thereof to the department

as hereinafter provided If the total amount of taxes so collected in any period shall be in excess of one per centum (1%) of the sale price of the sales by the person collecting such taxes during such period such person shall nevertheless remit to the department the total amount of taxes collected without deducting the amount by which the taxes collected exceed one per centum (1%) of the sale price of his sales during such period and without making any other deduction other than the compensation allowed by section two hundred thirteen of this act

Section 205 Sales Presumed to be at Retail Every sale of tangible personal property shall be presumed to be at retail and to be taxable The seller may require any purchaser claiming that a sale is not taxable to give him a written statement signed by the purchaser and giving his address certifying that the tangible personal property the subject of the sale is purchased for a purpose not included in the definition of "Sale at Retail" Such a certificate shall in the absence of actual fraud on the part of the seller justify him in failing to collect the tax If he fails to collect a tax on any sale where he does not obtain such a written statement from the purchaser the seller shall be liable for the tax as hereinafter provided unless he shall sustain the burden of proving that the sale was not at retail

Section 206 Tax to be Paid by Ultimate Consumer It is hereby stated as the legislative intent that the tax imposed hereby shall be paid by the ultimate consumer The amount of the tax shall be added to the sale price and shall constitute a part of that price (through a separate item as hereinbefore provided) and shall be collectible as such

Section 207 Seller Shall Not Pay Tax Penalty (a) No person engaged in a business as a retail dealer shall advertise or represent to the public in any manner directly or indirectly that he will absorb said tax or any part thereof or that the full tax on each sale will not be considered an element of the price and be added to the price otherwise ascertained Nor shall any such person knowingly absorb the tax on any sale nor fail to add the full amount of the tax to the sale price otherwise ascertained and collect said tax as part of the sale price

(b) Any person who violates any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both at the discretion of the court

Section 208 Agreements and Regulations as to Methods of Adding the Tax (a) To provide uniform methods of adding the average equivalent of the tax imposed by this act to the sale price in each sale subject to the tax appropriate rules and regulations may be adopted subject to the approval of the department by competing taxpayers or associations of taxpayers Such rules and regulations shall provide that the tax shall in each instance be computed and collected on the basis of the total transaction without regard to the value or price of the separate items making up the total amount of a single sales transaction Such rules and regulations shall not if complying with the foregoing provisions and not involving price-fixing be deemed illegal as in restraint of trade or commerce or otherwise The department may cooperate in formulating such rules and regulations and shall approve any such rules and regulations which it finds to be in compliance with this act

(b) In the event apropriate rules and regulations governing any class of business are not submitted to the department for approval within such time as the department prescribes which shall be not earlier than thirty days after the effective date of this act the department shall as soon as reasonably possible formulate and promulgate rules and regulations to effectuate the purpose of this section

Section 209 Collection of Tax on Credit Sales If any sale subject to tax hereunder is wholly or partly on credit the taxpayer shall require the purchaser to pay in cash at the time the sale is made or within thitry days thereafter the full tax due on the basis of the entire sale price

Section 210 Records of Sales Any person engaged in business as a retail dealer who is at the same time engaged in another business or businesses which does not involve the making of sales taxable under this act shall keep separate books or records of his business as a seller so as to show the sales taxable under this act separately from his transactions not taxable hereunder If any such person fails to keep such separate books or records he shall be liable to tax at the rate designated in section two hundred two hereof upon the entire sale price of both or all of his businesses

Section 211 Sales between Affiliated Interests etc In determining sale prce of taxable sales where because of affiliation of interests between the seller and buyer or for any other reason the sale price from a sale are not indicative of the true value of the article sold or the fair price thereof the department shall prescribe uniform and equitable rules for determining the amount of constructive sales prices upon the basis of which the tax shall be levied Such rules shall provide for a constructive amount of a sales price for each such sale which shall equal a price for such article which would naturally and fairly be charged in an arms-length transaction in which the element of common interests between buyer and seller or any other element causing a distortion of the price is absent

Section 212 Compensation to Seller for Collection and Return For the purpose of compensating sellers for the keeping of prescribed records and the proper accounting and remitting of taxes by them such sellers shall be allowed a commission of three per centum (3%) of the amount of the tax due and accounted for and remitted to the department which commission shall be allowed in the form of a deduction in submitting the report of such seller and the payment of the amount due by him Such compensation commission or allowance shall not be granted nor shall any deduction be permitted with respect to any taxes not paid on or before the due date thereof or where there is a manifest failure to maintain proper records or make proper prescribed reports

Article III

Returns and Payment

Section 301 Monthly Returns and Payment (a) The taxes imposed by this act shall be due and payable in monthly installments on or before the twentieth day of the calendar month succeeding the month during which the sales at retail subject to the tax were made

(b) Each taxpayer shall each month make out and sign a return for the preceding calendar month Such return shall be mailed to the department in time so that it will reach the department in the ordinary course of the mails on or before the twentieth day of the month succeeding the month with respect to which the return is made

(c) The return shall be on a form prescribed by the department The department shall distribute return forms to taxpayers but no taxpayer shall be excused from liability for failure to file a return or pay the tax because he has failed to receive a form

Each such return shall show

(1) The total gross proceeds of the business of the taxpaper for the month with respect to which the return is filed

(2) The amount of sales at retail of such business with respect to which the tax is computed

(3) The amount of tax due

(4) Such other information with respect to the business the amount of sales at retail or related matters as the department may reasonably require

Any such return may be signed by a duly authorized agent of the taxpayer with the same effect as if signed by the taxpayer himself

Any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to

(d) A remittance for the amount of the tax shall accompany each monthly return

Section 302 Other Times for Returns and Payment The department may upon written request authorize a tax-

payer whose books and records are not kept on a calendar month basis to file returns at other times than those specified in the preceding section and in lieu of such returns In no event shall the taxpayer be permitted to make less than one return during a calendar month except as provided in section three hundred three Except as to the time of filing and the period covered all the provisions as to monthly returns required by section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Section 303 Quarterly Returns When the total tax for which any taxpayer is liable does not exceed ten dollars ($10) per month he may in lieu of monthly returns make quarterly returns Each such quarterly return shall be filed with the department by mailing in time so as to reach the department in the ordinary course of the mails on or before the twentieth day of the first month succeeding the end of the quarter with respect to which the return is filed Except as to the time of filing and the period covered all the provisions as to monthly returns prescribed in section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Section 304 Annual Returns (a) On or before the thirty-first day of January in each year every taxpayer shall file with the department in the manner heretofore specified for monthly or quarterly returns an annual return covering the entire preceding calendar year or such part thereof as the taxpayer was engaged in a business as a retail dealer Such return shall be in addition to and not in lieu of returns required to be filed under the provisions of sections three hundred one three hundred two or three hundred three

(b) Each such annual return shall include all items required for monthly returns in section three hundred one thereof for the entire calendar year with respect to which it is made and shall be signed by the taxpayer or his authorized agent any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to

(c) If the amount of tax due for the preceding year as shown by the annual return of any taxpayer is greater than the amount already paid by him in connection with his monthly quarterly or other returns he shall send with such annual return a remittance for the unpaid amount of tax for the year

Section 305 Extension of Time for Making Returns The department may on written application and for good cause shown extend the time for making any return required or permitted by any of the preceding sections of this article Provided however That the time for making any return other than an annual return shall not be extended more than one month and the time for making an annual return shall not be extended more than three months

Article IV

Procedure

Section 401 Department of Revenue to Administer The Department of Revenue shall administer and enforce this act and collect the tax hereby imposed

Section 402 Examination of Returns Assessment of Tax Credits (a) As soon as practicable after any return is filed the department shall examine it and if the return shows a greater tax due than the amount of the remittance sent with such return the department shall forthwith assess the difference Such difference shall be paid to the department within ten days after notice of its assessment If so paid there shall be no interest or penalty if not so paid there shall be added to such amount five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment No taxpayer shall have any right of appeal from such an assessment

(b) If the department determines that any return or returns of any taxpayer understates the amount of tax due the department shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" Such deficiency shall be paid to the department within ten days after a notice of the assessment thereof shall be mailed to the taxpayer by the department In such case if such understatement of the tax in the return or returns was made in good faith there shall be no interest or penalty because of such understatement Provided That the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the assessment of such deficiency be mailed to the taxpayer If such payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one-half of one per centum per month or fraction thereof from the date of such notice to the date of payment If any understatement in any of such returns is false or fraudulent with intent to evade the tax the deficiency resulting from such understatement shall be doubled and in addition thereto an additional one-half of one per centum of such double ddeficiency shall be added for each such month or fraction of a month from the date the tax was originally due to the date of payment

(c) If the amount of the tax as assessed by the department shall be less than the amount already paid by the taxpayer the department shall so notify the taxpayer and the amount so overpaid may be taken by such taxpayer as a credit on the tax shown as due in any subsequent return or returns filed in accordance with the provisions of this act

Section 403 Estimated Assessments (a) If any person believed by the department to be liable for tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by this act and if the department shall deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of the accounts of such person it may make an estimated assessment of the probable amount of tax owing by such person but in every such case the department shall add to such estimated assessment a penalty of fifty per centum (50%) thereof and the department shall proceed to collect such estimated tax and penalty as in other cases if the amount is not paid when due

(b) The estimated assessment thus determined together with the penalty of fifty per centum (50%) specified above and interest at the rate of one-half of one per centum per month or fractional part thereof until paid shall be due and payable ten days after notice of such settlement shall have been mailed by the department to the person against whom the estimated assessment has been made

Section 404 Limitation of Assessment (a) Any additional assessment or estimated assessment shall be made by the department within five years of the date when the annual return required by section three hundred four hereof should have been filed as prescribed in this act whether the date originally prescribed or pursuant to any extensions of the time for filing such return duly granted by the department and not after Any such additional assessment or estimated assessment may be made at any time during such period notwithstanding that the department may have made one or more previous additional assessments or estimated assessments or both against the taxpayer for the year in question or for any part of such year In any such case no credit shall be given for any penalty previously assessed or paid

(b) If the taxpayer shall have died any taxes interest

and penalties due under this act for years prior to his death or for the year of his death and whether based on original assessments additional or estimated assessments or otherwise may be presented by the department at audit of his estate in the orphans' court such court shall give full effect to the priorities and equitable interest given to the Commonwealth by this act

Section 405 Reassessment Review Appeal Refund (a) Any taxpayer against whom an additional or estimated assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the additional or estimated assessment becomes due and payable The department shall hold such hearings as may be necessary for the purpose at such times and places as it may determine and each taxpayer who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearing in his case will be held A petition for reassessment if filed shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the additional or estimated assessment is erroneous or unlawful in whole or in part and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition If no petition for reassessment has been filed with the department but the taxpayer has given due notice of an intention to appear and be heard the taxpayer may appear at the hearing and present his petition orally in which event all statements of fact at the hearing shall be made under oath or affirmation

(b) Within sixty days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the board of finance and revenue to review such action Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies or shall incorporate by reference the petition for reassessment in which the reasons are stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The board of finance and revenue shall act finally in disposing of petitions filed with it within six months after they have been received In the event of the failure of the board to dispose of any petition within six months the action taken by the department upon the petition for reassessment shall be sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due on such basis as it deems according to law and equity The board shall give notice of its action by mail to the department and to the petitioner

(c) Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the board or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(d) Refunds of taxes paid under this act shall be made under the provisions of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) known as "The Fiscal Code" and its amendments

Section 406 Rules and Regulations Inquisitorial Powers of the Department (a) The department shall have the authority to prescribe adopt promulgate and enforce rules and regulations in conformity with this act and relating to any matter or thing pertaining to the administration of the taxes imposed by this act The department may from time to time alter or amend such rules and regulations in any manner it considers advisable

(b) The department or any of its authorized agents is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer including his bank accounts or similar items in order to verify the accuracy and completeness of any return made or if no return was made to ascertain and assess the tax imposed by this act The department may require the preservation of all such books papers and records for any period deemed proper by it not to exceed however six years from the end of the calendar year to which the records relate Every such taxpayer is hereby required to give to the department or its agent the means facilities and opportunity for such examinations and investigation The department is further authorized to examine any person under oath concerning taxable sales by any taxpayer or concerning any other matter relating to the enforcement or administration of this act and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes to have knowledge of such matters The procedure for such hearings or examinations shall be the same as that provided by the Fiscal Code relating to inquisitorial powers of fiscal officers

(c) Any information gained by the department as a result of any return investigation hearing or verification required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person unlawfully divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Notwithstanding the foregoing provisions of this subsection the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any other state now or hereafter imposing a tax upon sales of tangible personal property or classes of such property or the authorized representative of such Commission or officer to inspect any returns or reports of investigations filed or made under the provisions of this act or may furnish to such Commissioner or officer or his authorized representative an abstract of any such return or supply him with information concerning any items contained in any such return or report but such permission shall be granted or such information furnished to such Commissioner or officer only if the statutes of the United States or of such other state as the case may be grant equal privileges to the officers of this Commonwealth charged with the administration of this act

Section 407 Records of Non-Residents (a) A non-resident person including a foreign corporation who is engaged in one or more businesses in this Commonwealth as a retail dealer shall keep adequate records of such business or busineses and of the taxes due with respect thereto which records shall at all times be retained within this Commonwealth No taxes collected from purchasers shall be sent outside the Commonwealth without the written consent of and in accordance with conditions prescribed by the department

(b) Any person who shall violate or assist in the violation of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 408 Tax Held in Trust for the Commonwealth All taxes collected by any retail dealer from purchases in accordance with this act shall constitute a trust fund for the Commonwealth and such trust shall be enforceable against such taxpayer his representative and any person receiving any part of such fund without consideration or knowing that the taxpayer is committing a breach of trust Provided however That any person receiving payment of a lawful obligation of the taxpayer from such fund shall be presumed to have received the same in good faith and without knowledge of the breach of trust Any person other than a taxpayer against whom the

department makes any claim under this section shall have the same rights to petition and appeal as are given taxpayers by any provisions of this article

Section 409 Priority of Tax In the distribution voluntary or compulsory in receivership bankruptcy or otherwise of the property or estate of any person all taxes imposed by this act which are due and unpaid and are not collectible under the provisions of section four hundred eight hereof shall be paid from the first money available for distribution in priority to all other claims and liens except in so far as the laws of the United State may give a prior claim to the Federal government Any person charged with the administration or distribution of any such property or estate who shall violate the provisions of this section shall be personally liable for any taxes imposed by this act which are accrued and unpaid and are chargeable against the person whose property or estate is being administered or distributed

Section 410 Lien of Taxes All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner provided in this act and as such shall be a lien upon all real estate within the Commonwealth of any taxpayer resident or non-resident but only after the same has been entered and docketed of record by the prothonotary of the county where such real estate is situated as hereinafter provided

The department may at any time transmit to the Prothonotaries of the respective counties certified copies of all liens for taxes imposed by this act and penalties and interest it shall be the duty of each Pothonotary receiving such lien to enter and docket the same of record in his office which lien shall be indexed as judgments are now indexed All such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation judgment claim lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time such tax lien is recorded save and except the cost of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property The lien of said taxes interest and penalties shall continue for five years from the date of entry and may be revived and continued in the manner now or hereafter provided for renewal of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such written writs are ordinarily employed

Any wilful failure of any Prothonotary to carry out any duty imposed upon him by this section shall be a misdemeanor and upon conviction he shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Article V

Violation and Penalties

Section 501 Penalty for Fraudulent Annual Return Any person who shall wilfully make or cause to be made the annual return required by section three hundred four of this act which is false and fraudulent shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to all other penalties imposed by any of the preceding provisions of this act

Section 502 Other Penalties Except as otherwise provided by section five hundred one any person who shall wilfully fail neglect or refuse to file any return or report required by this act or any taxpayer who shall refuse to pay any tax penalty or interest imposed or provided for by this act or who shall wilfully fail to preserve his books papers and records as directed by the department in accordance with section four hundred six hereof or any person who shall refuse to permit the department or any of its authorized agents to examine his books records or papers or who shall knowingly make any incomplete false or fraudulent return or report or who shall do or attempt to do anything whatever to prevent the full disclosure of the amount or character of taxable sales made by himself or any other person shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or undergo imprisonment not exceeding one year or both in the discretion of the court The penalties imposed by this section shall be in addition to any penalties imposed by any provision of this act other than section five hundred one

Article VI

Disposition of Tax Penalties Interest

Section 601 Disposition of Proceeds All taxes collected under the provisions of this act together with any penalties and interest thereon shall be used for public school purposes in so far as permitted by the requirements of the constitution of Pennsylvania

Article VII

Miscellaneous

Section 701 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for any purpose

Section 702 Effective Date This act shall become effective on the first day of the second calendar month after the month in which it is finally enacted and all taxable sales during that month and for a period of two years thereafter shall be subject to tax hereunder

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. We now have before us House Bill 909 with the new printers No. which is before us for immediate consideration. I believe that in the last three or four months I have persistently brought before this House what we stood for, that we stood for a broad base tax as the one way to balance the Governor's budget.

Today we are calling this bill up for a vote. I have every confidence that it will pass with Republican votes. I feel that today will be a great triumph for the Republican party and I am asking that this bill be brought to an immediate vote, and that the Republicans stick with us and pass it as Republicans and as a Republican measure so that we can end this Session and go home feeling that we have done the job that we were sent here to do.

Mr. ANDREWS. Mr. Speaker, I agree with the Majority Leader that there is no occasion for continued oratory at this time concerning this bill.

You know old Bill Brown was stumbling down the street. He was the town drunk. Somebody asked him, "Where are you going, Bill?" He said, "I am going down and I am going to get tight and Gosh, how I hate it."

So you are passing a sales tax bill of sorts, and Gosh, how some of you hate it or have hated it. You know you can lead a donkey to the trough, but you can't make him drink. It is a different case with an elephant; he will drink if you lead him to the trough often enough.

I want to congratulate the leadership of this House on the majority side for a performance which from their standpoint has been too long delayed. However, the delay has not been without reward as far as the general public is concerned.

I can remember a general sales tax reputedly loaded to raise $170 million. I remember that. It is quite a jump

from the $170 million sales tax to the measure which we now consider.

By the way, Mr. Majority Leader, just what is it expected that this particular bill, which we now have the pleasure of considering, will raise? That might be interesting to the gentlemen of the Press. They will not have to guess if you tell them.

Mr. JOHNSON. Mr. Speaker, I will be glad to answer that query.

I believe I stated when we were considering the sales tax bill that with the very best type of collection which would be comparable to the state of California, which does an excellent job of collecting their sales tax, the one percent sales tax would raise during the full two-year period $170 million.

The way this bill is now drafted, it will not go into effect until September 1, so we of necessity have lost three months' revenue, which represents $18 million which we will not receive, which reduces the bill correspondingly. Taking clothing out of the bill, and shoes and restaurant meals will amount to between $25 and $30 million dollars. We estimate that the bill will now for the balance of the biennium take in, with very effective collection, possibly $125 million.

Mr. ANDREWS. I thank the gentleman, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, a jump from $170 million to $125 million is some stride. We have during this period of delay, frustration and confusion, seen an executive budget reduced to the tune of at least $30 million. Those are considerable accomplishments for which somebody is going to take credit. As to where that credit belongs will be a matter debated at some considerable length during the months to come.

However, the supreme accomplishment is contained in a sentence expressed by the Majority Leader. He says that this bill has become a Republican party bill, that it expresses party philosophy, and that is exactly as it should be. We have had a period when the bill was perhaps the Speaker's bill, or the Majority Leader's bill, or was it by chance the Governor's bill, when it wandered around an orphan.

You have, or are about to have, judging by your smiling faces, reached a point where you have established party responsibility.

You say that your party philosophy is represented in this bill. We say that our philosophy at this time is represented in opposition to this bill. We would not have done it that way at this time. Some of us believe that taxes should be more equitably divided between the consumer who pays directly and the profits made by business, but that is a matter for future discussion, a matter that can be carried to the people.

I want to congratulate again the Majority Leader and the Speaker who, by some means or other, perhaps with some little assistance from this side of the House, have brought the Republican majority into his chamber as a party, as a team, accepting responsibility for Republican party policy as we accept responsibility for Democratic party policy.

I am sorry, as you all are sorry, that ailing Members of this House have found it necessary, because of their devotion to their party, to foreather with us today. My sympathy goes out to them. I congratulate them. I hope for their early recovery and the time when they can be with us, not intermittently, but every day. And so, Mr. Speaker, we go to a vote, and I still do not know just why it took nearly seven months to travel the weary trail that apparently ends today.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Ashton,	Geer,	Leisey,	Stevenson,
Auker,	Gibson,	Lippincott,	Stimmel,
Banker,	Gleason,	Mahan,	Stoner,
Barkdoll,	Goodling,	Markley,	Strausser,
Baumunk,	Gramlich,	Mathews,	Sucher,
Bear,	Greenwood,	McCullough,	Thompson,
Blair,	Gutendorf,	McInroy,	Tompkins,
Bolton,	Guthrie,	Mikula,	Toomey,
Bomberger,	Hall,	Miller,	VanSant,
Bower,	Hamilton, W. H.,	Moody,	Varner,
Breisch,	Haudenshield,	Moore,	Vaughan,
Brown,	Helm,	Moscrip,	Wall,
Buchanan,	Hewitt,	Murray, P. G.,	Waterhouse,
Bullen,	Hocker,	Naugle,	Watkins,
Clapper,	Ide,	Ogilvie,	Weidner,
Connelly,	Johnson,	Peifly,	Wescott,
Cooper,	Jones, Geo. E.,	Phillips,	Whalley,
Davis,	Jones, T. H. W.,	Price,	Willaredt,
Down,	Jump,	Quisenberry,	Wilt,
DuBois,	Keller,	Reagan,	Wood,
Dunn,	Kent,	Richter,	Worley,
Erb,	Kerlin,	Royer,	Yeakel,
Ewing,	Kline,	Rubin,	Young,
Ferster,	Kohl,	Scott,	Ziegler,
Flack,	Kratz,	Shoemaker,	Smith, C. C., Speaker
Fleischman,	Kromer,	Shotwell,	
Frost,	Lafore,	Spencer,	

NAYS—96

Adam,	Hamilton, R. K.,	McGee,	Sarraf,
Alexander,	Harris,	McWherter,	Schmidt,
Amarando,	Hersch,	Mihm,	Schuster,
Andrews,	Hoggard,	Mills,	Schwartz,
Bazin,	Jenkins,	Moran,	Seyler,
Boles,	Jim,	Muldowney,	Smith, W. B.,
Boory,	Jones, Gran'le E.	Munley,	Snider,
Breth,	Jones, Paul F.,	Murray, J. J.,	Stank,
Bucchin,	Kamyk,	Musto,	Stone,
Capano,	Kolankiewicz,	Needham,	Taylor,
Cianfrani,	Kornick,	Olsen,	Thomas,
Cioffi,	Kubacki,	Parlante,	Toll,
Comer,	Lederer,	Peta,	Varallo,
Conner,	Leonard,	Petrosky,	Verona,
Coyle,	Leven,	Pettigrew,	Wallace,
Dougherty,	Limper,	Pfaff,	Walsh
Downey,	Lopresti,	Polaski,	Wargo,
Farabaugh,	Lovett,	Polen,	Welsh,
Fenrich,	Lutty,	Poltenstein,	Wheeler,
Filo,	Maguire,	Ragot,	White,
Floyd,	Maxwell,	Readinger,	Whitenight,
Flynn,	McCann,	Reidenbach,	Williams,
Glick,	McCormack,	Rosen,	Yetzer,
Guss,	McDermit,	Rovansek,	Zeitz,

NOT VOTING—5

Cochran,	Light,	Metz,	Monroe,
Curwood,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THANKS EXTENDED

The SPEAKER. The Chair at this time feels under deep obligation to the gentleman from Luzerne, Mr. Flack, the gentleman from Schuylkill, Mr. Watkins, the gentleman from Schuylkill, Mr. Kline, and the gentleman from

Schuylkill, Mr. Shoemaker, for their party loyalty in making an attendance and in doing everything possible to be here at the time of this very important vote.

The Chair would also like to tell the Members that it is obligated to the gentleman from Lebanon, Mr. Light, who is now in the hospital with a very serious eye operation. The gentleman said under any circumstances, if his vote were needed, he would be here ready to vote today.

Mr. ANDREWS. I am buggled eyed with astonishment.

The SPEAKER. The Chair knew that at some time during the session the gentleman's eyes would pop.

Mr. ANDREWS. I simply suggest that we take the same vote on the other tax bill.

The SPEAKER. The Chair thanks the gentleman.

SPECIAL ORDER

The SPEAKER. The Chair lays before the House the Special Order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 908, as follows:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Tile and Definitions

Section 101 Short Title This act shall be known and may be cited as the "Use and Storage Tax Act"

Section 102 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Department" The Department of Revenue of this Commonwealth

(2) "Person" Any natural person firm partnership association corporation fiduciary or other entity Whenever used in any provision of this act which prescribes or imposes fine or imprisonment or both the term "person" as applied to a firm partnership or association shall include the members thereof and as applied to a corporation the officers thereof Provided That a firm partnership association or a corporation may be subjected as an entity to the payment of a fine

(3) "Storage" Any keeping or retention in this Commonwealth for use or other consumption in this Commonwealth for any purpose excepting as hereinafter provided

(4) "Use" The exercise of any right or power incidental to the ownership of tangible personal property

The term "storage use or other consumption" does not apply to

(a) Any tangible personal property used for the purpose of resale in its original form

(b) Any tangible personal property acquired through an isolated sale from one not a seller

(c) Any tangible personal property acquired through an isolated purchase from one who though a seller is not such a seller with respect to the article purchased but a use shall be presumed in the case of all purchases from sellers

(d) Cigarettes

(e) Gasoline and other motor fuels

(f) Utility services the gross receipts from which are taxed by the Commonwealth

(g) Any tangible personal property acquired by the Commonwealth or any of its agencies or political subdivisions or by authorities created by or pursuant to law

(h) Any tangible personal property acquired by the United States or any of its agencies

(i) Any tangible personal property acquired outside this Commonwealth the taxing of the storage use or other consumption of which is prohibited by the Constitution of the United States

(j) Newspapers magazines and other periodicals

(k) Medicine on prescription crutches wheelchairs for the use of cripples and invalids and when designed to be worn on the person of the purchaser or user artificial limbs artificial eyes and artificial hearing devices false teeth purchased from a dentist and the materials used by a dentist in dental treatment eyeglasses when especially designed or prescribed by an opthalmologist oculist or optometrist for the personal use of the owner or purchaser and artificial braces and supports designed solely for the use of crippled persons

(l) Bakery products milk groceries and meat as food products for human consumption For the purposes of this clause (i) "milk" shall mean raw milk products from domestic animals or such milk when processed or canned (ii) "groceries" shall mean all food products and all food ingredients for human consumption or for use in the preparation thereof for human consumption ordinarily sold in grocery stores except candies confections soft drinks tobacco or tobacco products (iii) "meat" shall include the flesh of animals fish sea food poultry and game

(m) Clothing and shoes but not jewelry or any other object not worn primarily to cover the human body against nakedness or cold

(n) Tangible personal property (i) which is to be used in fabricating compounding or manufacturing tangible personal property or in producing public utility service to be sold ultimately at retail or (ii) which is to be used in the process of farming agriculture or horticulture and which in either event becomes an ingredient or component part of the fabricated compounded or manufactured tangible personal property or public utility product or of the product of framing agriculture or horticulture or is consumed in the proces of fabrication compounding manufacturing or producing or in the process of farming agriculture or horticulture or (iii) which is to be used in the production or delivery of public utility service

(o) The performance of personal service

(p) Any tangible personal property upon which a tax is imposed under the provisions of the Consumers Sales Tax Act

(q) Tangible Personal property intended for incorporation and incorporated into a building road street bridge or other structure provided such property is so incorporated pursuant to a contract entered into prior to the effective date of this act and provided further that the person so incorporating such property submit to the department proof of the facts in such form as the department may require

(5) "Purchase" Acquiring tangible personal property for a consideration whether the transaction was affected by a transfer of title or of possession or of both or a license to use or consume whether such transfer shall have been absolute or conditional and by whatsoever means the same shall have been effected and whether such consideration be a price or rental in money or by way of exchange or barter "Purchase" shall include production even though the article produced is used stored or consumed by the producer thereof

(6) "Seller" The person from whom a purchase is made and every person engaged in this Commonwealth or elsewhere in the business of selling tangible personal property for storage use or other consumption in this Commonwealth when in the opinion of the department it is necessary for the efficient administration of this act

to regard any salesman representative peddler or canvasser as the agent of a dealer distributor supervisor or employer under whom he operates or from whom he obtains tangible personal property sold by him for storage use or other consumption in this Commonwealth irrespective of whether or not he is making such sales on his own behalf or on behalf of such dealer distributor supervisor or employer the department may so regard him and may regard such dealer distributor supervisor or employer as the "seller" for the purpose of this act

(7) "Seller Maintaining a Place of Business in This Commonwealth" Any seller having or maintaining within this Commonwealth directly or through a subsidiary an office distribution house saleshouse warehouse or other place of business or any agent operating wholly within this Commonwealth under the authority of the seller or its subsidiary irrespective of whether such place of business or agent is located permanently or temporarily in this Commonwealth or whether such seller or subsidiary is authorized to do business within this Commonwealth

(8) "Consumer" The persons who has purchased tangible personal property for storage use or other consumption in this Commonwealth

(9) "Price" the amount paid in money credits property or other consideration for purchases without deduction on account of the cost of property purchased amounts paid for interest discounts losses or any other expenses or burdens Credit actually given or refund actually paid for goods returned may be deducted

(10) "Tangible Personal Property" Corporal personal property including but not restricted to goods wares and merchandise The term "Tangible Personal Property" does not include money deposits in banks shares of stock bonds notes credits or evidences of an interest in property or evidences of debt

(11) "Tax" Any tax interest or penalty imposed or levied under the provisions of this act

Article II

Imposition and Collection of Tax

Section 201 Imposition A tax is hereby levied on the storage use or other consumption in this Commonwealth of tangible personal property purchased for storage use or other consumption in this Commonwealth

Section 202 Amount of Tax (a) The rate of tax shall be one percentum (1%) of the price of each purchase of tangible personal property purchased for storage use or other consumption in this Commonwealth

(b) As to any tangible personal property purchased for storage use or other consumption in this Commonwealth the tax shall be computed as follows

(1) Where its price is ten cents or less no tax shall be collected

(2) Where its price is from eleven cents to one dollar both inclusive the tax shall be one cent

(3) Where its price is in excess of one dollar the tax on each additional dollar or fraction thereof shall be one cent

(c) If any person who causes tangible personal property to be brought into this Commonwealth has already paid a tax in another state in respect to the sale or use of such property or an occupation tax in respect thereto in an amount less than the tax imposed by this act the provisions of this act shall apply but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax on the sale or use or occupation tax was computed

Section 203 Payment Each consumer storing using or otherwise consuming in this Commonwealth tangible personal property purchased for such purpose or purposes shall be liable for the tax imposed by this act and such liability shall not be extinguished until the tax has been paid to this Commonwealth

It shall be presumed that tangible personal property purchased on or after the effective date of this act by any person for delivery in this Commonwealth is purchased for storage use or other consumption in this Commonwealth

Section 204 Collection by Sellers Maintaining Place of Business in Commonwealth Every seller maintaining a place of business in this Commonwealth and making sales of tangible personal property for storage use or other consumption in this Commonwealth if not otherwise exempted shall at the time of making the sales or if the storage use or consumption is not then taxable hereunder at the time the storage use or other consumption becomes taxable collect the tax from the consumer

Section 205 Seller's Registration Every seller maintaining a place of business in this Commonwealth selling tangible personal property for storage use or consumpton in this Commonwealth shall register with the department and give the name and address of all agents operating in this Commonwealth the location of all distribution or saleshouses or offices or other places of business in this Commonwealth and such other information as the department may require

Article III

Returns and Payment

Section 301 Monthly Returns and Payment (a) The taxes imposed by this act shall be due and payable in monthly installments on or before the twentieth day of the calendar month succeeding the month during which the purchase of tangible personal property on the storage use or other consumption of which the tax is being paid is made

(b) Each taxpayer or seller maintaining a place of business in this Commonwealth shall make out and sign a return for the preceding calendar month Such return shall be mailed to the department in time so that it will reach the department in the ordinary course of the mails on or before the twentieth day of the month succeeding the month during which the purchase of tangible personal property on the storage use or other consumption of which the tax is being paid is made The return shall be on a form prescribed by the department

(c) Each such return shall show

(1) The price of each such purchase of tangible personal property by such person during such preceding monthly period the storage use or comsumption of which is subject to tax

(2) The amount of tax due

(3) Such other information as the department may deem necessary for the proper administration of this act

(d) Any such return may be signed by a duly authorized agent of the taxpayer with the same effect as if signed by the taxpayer himself any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to A remittance for the amount of the tax shall accompany each return

Section 302 Other Times for Returns and Payment The department may upon written request authorize a taxpayer whose books and records are not kept on a calendar month basis to file returns at other times than those specified in the preceding section and in lieu of such returns Except as to the time of filing and the period covered all the provisions as to monthly returns made by section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Article IV

Procedure

Section 401 Department of Revenue to Administer The Department of Revenue shall administer and enforce this act and collect the tax hereby imposed

Section 402 Examination of Returns Assessment of Tax Credits (a) As soon as practicable after any return is filed the department shall examine it If the return shows a greater tax due than the amount of the remittance sent with such return the department shall forthwith assess the difference Such difference shall be paid to the department within ten days after notice of its assessment If so paid there shall be no interest or penalty if not so paid there shall be added to such amount five per centum thereof and in addition interest at the rate of

one-half of one percentum per month for each month or fraction thereof from the date of such notice to the date of payment No taxpayer shall have any right of appeal from such an assessment

(b) If the department determines that any return or returns of any taxpayer understates the amount of tax due the department shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" Such deficiency shall be paid to the department within ten days after a notice of the assessment thereof shall be mailed to the taxpayer by the department In such case if such understatement of the tax in the return or returns was made in good faith there shall be no interest or penalty because of such understatement Provided That the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the assessment of such deficiency be mailed to the taxpayer If such payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If any understatement in any of such returns is false or fraudulent with intent to evade the tax the deficiency resulting from such understatement shall be doubled and in addition thereto an additional one-half of one per centum of such doubled deficiency shall be added for each such month or fraction of a month from the date the tax was originally due to the date of payment

(c) If the amount of the tax as assessed by the department shall be less than the amount already paid by the taxpayer the department shall so notify the taxpayer and the amount to overpaid may be taken by such taxpayer as a credit on the tax shown as due in any subequent return or return filed in accordance with the provisions of this act

Section 403 Estimated Assessments (a) If any person believed by the department to be liable for tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by this act and if the department shall deem it more conducive to the public interest because of the supposed smallness of the tax or for for any other reason not to proceed to compel the exhibition of the accounts of such person it may make an estimated assessment of the probable amount of tax owing by such person but in every such case the department shall add to such estimated assessment a penalty of fifty per centum (50%) thereof and the department shall proceed to collect such estimated tax and penalty as in other cases if the amount is not paid when due as hereinafter provided

(b) The estimated assessment thus determined together with the penalty of fifty per centum (50%) specified above and interest at the rate of one-half of one per centum per month or fractional part thereof until paid shall be due and payable ten days after notice of such settlement shall have been mailed by the department to the person against whom the estimated assessment has been made

Section 404 Limitation of Assessments (a) Any additional assessment or estimated assessment shall be made by the department within five years of the date when the return required by section three hundred one or authorized by section three hundred two hereof should have been filed as prescribed in this act whether the date originally prescribed or pursuant to any extensions of the time for filing such return duly granted by the department and not after Any such additional assessment or estimated assessment may be made at any time during such period notwithstanding that the department may have made one or more previous additional assessments or estimated assessments or both against the taxpayer for the year in question or for any part of such year In any such case no credit shall be given for any penalty previously assessed or paid

(b) If the taxpayer shall have died any taxes interest and penalties due under this act for years prior to his death or for the year of his death and whether based on original assessments additional or estimated assessments or otherwise may be presented by the department at audit of his estate in the orphans' court Such court shall give full effect to the priorities and equitable interest given to the Commonwealth by this act

Section 405 Reassessment Review Appeal Refund (a) Any taxpayer against whom an additional or estimated assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the additional or estimated assessment becomes due and payable The department shall hold such hearings as may be necessary for the purpose at such times and places at it may determine and each taxpayer who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearing in his case will be held A petition for reassessment if filed shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the additional or estimated assessment is erroneous or unlawful in whole or in part and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition If no petition for reassessment has been filed with the department but the taxpayer has given due notice of an intention to appear and be heard the taxpayer may appear at the hearing and present his petition orally in which event all statements of fact at the hearing shall be made under oath or affirmation

(b) Within sixty days after the date of mailing of notice by the department of the action taken on any petition for assessment filed with it the person against whom such assessment was made may by petition request the board of finance and revenue to review such action Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies or shall incorporate by reference the petition for reassessment in which the reasons are stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall act finally in disposing of petitions filed with it within six months after they have been received In the event of the failure of the board to dispose of any petition within six months the action taken by the department upon the petition for reassessment shall be sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due on such basis as it deems according to law and equity The board shall give notice of its action by mail to the department and to the petitioner

(c) Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin county from the decision of the board or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(d) Refunds of taxes paid under this act shall be made under the provisions of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) known as "The Fiscal Code" and its amendments

Section 406 Rules and Regulations Inquisitorial Powers of the Department (a) The department shall have the authority to prescribe adopt promulgate and enforce rules and regulations in conformity with this act and relating to any matter or thing pertaining to the administration of the taxes imposed by this act The department

may from time to time alter or amend such rules and regulations in any manner it considers advisable

(b) The department or any of its authorized agents is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer including his bank accounts or similar items in order to verify the accuracy and completeness of any return made or if no return was made to ascertain and assess the tax imposed by this act The department may require the preservation of all such books papers and records for any period deemed proper by it not to exceed however six years from the end of the calendar year to which the records relate Every such taxpayer is hereby required to give to the department or its agent the means facilities and opportunity for such examinations and investigations The department is further authorized to examine any person undr oath concerning the taxable storage use or other consumption of tangible personal property by any taxpayer or concerning any other matter relating to the enforcement or administration of this act and to this end may compel the production of books and records and the attendance of all persons whether as parties or witnesses whom it believes to have knowledge of such matters The procedure for such hearings or examinations shall be the same as that provided by the Fiscal Code relating to inquisitorial powers of fiscal officers

(c) Any information gained by the department as a result of any return investigation hearing or verification required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person unlawfully divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Notwithstanding the foregoing provisions of this subsection (c) the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any other state now or hereafter imposing a tax upon the storage use or other consumption of tangible personal property or classes of such property or the authorized representative of such Commissioner or officer to inspect any returns or reports of investigations filed or made under the provisions of this act or may furnish to such Commissioner or officer or his authorized representative an abstract of any such return or supply him with information concerning any items contained in any such return or report but such permission shall be granted or such information furnished to such Commissioner or officer only if the statutes of the United States or of such other state as the case may be grant equal privileges to the officers of this Commonwealth charged with the administration of this act

Section 407 Records of Non-Residents A non-resident person including a foreign corporation who is engaged in one or more businesses in this Commonwealth shall keep adequate records of such business or businesses and of the taxes due with respect thereto which records shall at all times be retained within this Commonwealth

Any person violating or assisting in the volation of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one (1) year or both

Section 408 Priority of Tax In the distribution voluntary or compulsory in receivership bankruptcy or otherwise of the property or estate of any person all taxes imposed by this act which are due and unpaid shall be paid from the first money available for distribution in priority to all other claims and liens except in so far as the laws of the United States may give a prior claim to the Federal government Any person charged with the administration or distribution of any such property or estate who shall violate the provisions of this section shall be personally liable for any taxes imposed by this act which are accrued and unpaid and are chargeable against the person whose property or estate is being administered or distributed

Section 409 Lien of Taxes All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner provided in this act and as such shall be a lien upon all real estate within the Commonwealth of any taxpayer resident or non-resident but only after the same has been entered and docketed of record by the prothonotary of the county where such real estate is situated as hereinafter provided

The department may at any time transmit to the prothonotaries of the respective counties certified copies of all liens for taxes imposed by this act and penalties and interest It shall be the duty of each prothonotary receiving such lien to enter and docket the same of record in his office which lien shall be indexed as judgments are now indexed all such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation judgment claim lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time such tax lien is recorded save and except the costs of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property The lien of said taxes interest and penalties shall continue for five years from the date of entry and may be revived and continued in the manner now or hereafter provided for renewal of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such written writs are ordinarily employed

Any wilful failure of any prothonotary to carry out any duty imposed upon him by this section shall be a misdemeanor and upon conviction he shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 410 Penalties Any person who shall wilfully fail neglect or refuse to make any return or report required by this act or any taxpayer who shall refuse to pay any tax penalty or interest imposed or provided for by this act or who shall wilfully fail to preserve his books papers and records as directed by the department in accordance with section four hundred six hereof or any person who shall refuse to permit the department or any of its authorized agents to examine his books records or papers or who shall knowingly make any incomplete false or fraudulent return or report or who shall do or attempt to do anything whatever to prevent the full disclosure of the amount or character of the taxable storage use or other consumption of tangible personal property by himself or any other person shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or undergo imprisonment not exceeding one year or both in the discretion of the court The penalties imposed by this section shall be in addition to any penalties imposed by any provisions of this act

Article V

Disposition of Tax Penalties Interest

Section 501 Disposition of Proceeds All taxes collected under the provisions of this act together with any penalties and interest thereon shall be used for public school purposes in so far as permitted by the requirements of the Constitution of Pennsylvania

Article VI

Miscellaneous

Section 601 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for any purpose

Section 602 Effective Date This act shall become ef-

fective on the first day of the second calendar month after the month in which it is finally enacted and all taxable storage use or other consumption pursuant to purchases made during that month and for a period of two years thereafter shall be subject to tax hereunder

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Ashton,	Frost,	Lafore,	Spencer,
Auker,	Geer,	Leisey,	Stevenson,
Banker,	Gibson,	Lippincott,	Stimmel,
Barkdoll,	Gleason,	Mahan,	Stoner,
Baumunk,	Goodling,	Markley,	Strausser,
Bear,	Gramlich,	Mathews,	Sucher,
Blair,	Greenwood,	McCullough,	Thompson,
Bolton,	Gutendorf,	McInroy,	Tompkins,
Bomberger,	Guthrie,	Mikula,	Toomey,
Bower,	Hall,	Miller,	VanSant,
Breisch,	Hamilton, W. H.,	Moody,	Varner,
Brown,	Haudenshield,	Moore,	Vaughan,
Buchanan,	Helm,	Moscrip,	Wall,
Bullen,	Hewitt,	Murray, P. G.,	Waterhouse,
Clapper,	Hocker,	Naugle,	Watkins,
Connelly,	Ide,	Ogilvie,	Weidner,
Cooper,	Johnson,	Peifly,	Wescott,
Davis,	Jones, Geo. E.,	Phillips,	Whalley,
Down,	Jones, T. H. W.,	Price,	Willaredt,
DuBois,	Jump,	Quisenberry,	Wilt,
Dunn,	Keller,	Reagan,	Wood,
Erb,	Kent,	Richter,	Worley,
Ewing,	Kerlin,	Royer,	Yeakel,
Ferster,	Kline,	Rubin,	Young,
Flack,	Kohl,	Scott,	Ziegler,
Fleischman,	Kratz,	Shoemaker,	Smith, C. C., Speaker
	Kromer,	Shotwell,	

NAYS—96

Adam,	Hamilton, R. K.,	McGee,	Sarraf,
Alexander,	Harris,	McWherter,	Schmidt,
Amarando,	Hersch,	Mills,	Schuster,
Andrews,	Hoggard,	Mihm,	Schwartz,
Bazin,	Jenkins,	Moran,	Seyler,
Boies,	Jim,	Muldowney,	Smith, W. B.,
Boory,	Jones, Gran'le E.	Munley,	Snider,
Breth,	Jones, Paul F.,	Murray, J. J.,	Stank,
Bucchin,	Kamyk,	Musto,	Stone,
Capano,	Kolankiewicz,	Needham,	Taylor,
Cianfrani,	Kornick,	Olsen,	Thomas,
Cioffi,	Kubacki,	Parlante,	Toll,
Comer,	Lederer,	Peta,	Varallo,
Conner,	Leonard,	Petrosky,	Verona,
Coyle,	Leven,	Pettigrew,	Wallace,
Dougherty,	Limper,	Pfaff,	Walsh
Downey,	Lopresti,	Polaski,	Wargo,
Farabaugh,	Lovett,	Polen,	Welsh,
Fenrich,	Lutty,	Poltenstein,	Wheeler,
Filo,	Maguire,	Ragot,	White,
Floyd,	Maxwell,	Readinger,	Whitenight,
Flynn,	McCann,	Reidenbach,	Williams,
Glick,	McCormack,	Rosen,	Yetzer,
Guss,	McDermit,	Rovansek,	Zeitz,

NOT VOTING—5

Cochran,	Light,	Metz,	Monroe,
Curwood,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS RECOMMITTED

Mr. JOHNSON. In view of the fact that the major tax bill of the Session has now passed this House, I would make a series of motions recommitting to the Committee of Ways and Means certain tax bills which are presently on our calendar.

Mr. Speaker, I move that House Bill 633, Printer's No. 438 on page 21 of today's calendar entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; requiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

be recommitted to the Committee on Ways and Means.

The motion was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that House Bill 814, Printer's No. 449, on page 22 of today's calendar entitled:

An Act to reenact and amend Section 24 of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by extending the effective period of the State tax on gross premiums deposits and assessments received from insurance business transacted within this Commonwealth by domestic insurance companies, associations and exchanges, and by reducing the rate of tax as to mutual fire and casualty companies without capital stock

be recommitted to the Committee on Ways and Means.

The motion was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that House Bill 1343, Printer's No. 440 on page 22 of today's calendar entitled:

An Act to further amend Sections 4 and 6 of the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers and by increasing the commission paid to agents appointed to affix stamps as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholsale and providing penalties" by increasing the State tax upon the sale or gift of cigarettes by dealers

be recommitted to the Committee on Ways and Means.

The motion was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that House Bill 1376, Printer's No. 431 on page 23 of today's calendar entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold, transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

be recommitted to the Committee on Ways and Means.

The motion was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that House Bill 1377, Printer's No. 284 on page 33 of today's calendar entitled:

An Act imposing a tax on the income of unincorporated businesses, trades, occupations and professions; providing for the assessment, collection and lien of said tax; providing for the administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, officers and departments; and imposing penalties.

be recommitted to the Committee on Ways and Means.

The motion was agreed to.

HOUSE BILLS 1140, 1240 AND 1390 MADE SPECIAL ORDER

Mr. JOHNSON. Mr. Speaker, there are three very important bills on the calendar. Owing to the lateness of the hour, it is felt that these bills should be passed over this evening and taken up tomorrow.

Therefore, I want to say to the Membership that it is planned that we come back tomorrow morning at 9:00 a. m. Standard Time, 10:00 Daylight Saving Time. I am shortly going to move that these three important measures be made a special order of business for tomorrow morning at 9:30 a. m. Standard Time or 10:30 a. m. Daylight Saving Time.

Mr. Speaker, I move that House Bill 1140, Printer's No. 470, House Bill 1240, Printer's No. 389 and House Bill 1390, Printer's No. 442 be made a Special Order of Business tomorrow morning at 9:30 EST, in the order named on third reading and final passage.

The motion was agreed to.

ANNOUNCEMENT

Mr. JOHNSON. Mr. Speaker, I have been requested to announce that it is quite likely that there will be a call of the House tomorrow because of the extreme importance of these three measures, and the desirability that all Members be here to vote upon these very important bills.

Mr. AUKER. Mr. Speaker, I understand that those words should be more serious than "quite likely"—that there will be a call of the House at 9:30 a. m. tomorrow morning. Is that thoroughly understood by the Majority and Minority Floor Leaders?

Mr. ANDREWS. Mr. Speaker, had I not been so rudely interrupted, I was about to say that I would amend what the Majority Leader had to say by adding that there would be a call of the House tomorrow, and that we will request that those Members not properly absent be sent for.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HAUDENSHIELD asked and obtained permission for the Committee on Welfare to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1463.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

HOUSE BILL No. 1505.

An Act to amend the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1565), entitled "An act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled 'An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau,' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations," by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June, one thousand nine hundred fifty-three and each regular session thereafter.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 695.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 514.

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

HOUSE BILL No. 1463.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres, more or less of land, situate in the City of Erie, Erie County, Pennsylvania.

HOUSE BILL No. 1505.

An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled "An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth

day of June making appropriations" by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mrs. MARKLEY, from the Committee on Professional Licensure, reported as committeed, House Bill No. 117, entitled:

An Act to further amend Section 9 of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by specifying further reasons for the refusal, cancellation, revocation or suspension of licenses by the Board of Optometrical Education, Examination and Licensure and providing for the making, adopting and enforcing of rules by the State Board of Optometrical Examiners.

Mr. GEER, from the Committee on Welfare, reported as amended, House Bill No. 1132, entitled:

An Act to amend Section 405 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations, imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by further providing for the powers and duties of local authorities as to children.

Mr. ROYER from the Committee on Ways and Means, reported as committed, House Bill No. 1109, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certain deductions for the calendar year, one thousand nine hundred fifty-three and thereafter; and providing for disposition of taxes, penalties, fines, and bail forfeitures collected.

Mr. McCORMACK from the Committee on Professional Licensure, reported as committed, House Bill No. 1568, entitled:

An Act to amend Section 5.1 of the act, approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the court of common pleas of Dauphin County; and prescribing penalties," by further providing for licensure of nonresident practitioners without further examination.

Mr. HERSCH from the Committee on Banking and Building and Loan, reported as amended, Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts and fixing the rights and duties of minors the minors' parents or guardians and the depository bank with respect thereto.

BILL ON THIRD READING

Mr. STIMMEL asked and obtained unanimous consent to call up out of order Senate Bill 96 on page 35 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. STIMMEL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 56), page 3, line 20, by inserting after "Sunfish" "perch."

Amend Sec. 1 (Sec. 57), page 4, line 8, by inserting after "Sunfish" "perch."

Amend Sec. 1 (Sec. 57), page 4, line 9, by inserting after "Sunfish" "perch."

Amend Sec. 1 (Sec. 57), page 4, lines 14 to 18, by striking out "No person over the" in line 14 and all of lines 15 to 18, inclusive and inserting in lieu thereof "or transported from the premises."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RESOLUTION

CONDOLENCE

Mr. THOMAS H. W. JONES offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 8, 1953.

The recent death of the Honorable Hiram B. Ganser, a former State Legislator from the Second Legislative District of Montgomery County is a great loss to his family, friends and community.

Mr. Ganser is survived by his wife, the former Ellen Oberholtzer, as well as by three daughters, two sons, five grandchildren, three great-grandchildren, and three brothers.

Mr. Ganser was a lifelong resident of Montgomery County. He was born at Zieglerville, spent several years at Lansdale and was educated in Bridgeport before moving to Norristown.

In addition to having been a telegrapher in the Reading Railroad yard early in life, Mr. Ganser spent thirty-five years as an employe of the Post Office Department.

His services to the community included active membership in many fraternal orders, membership in a fire company, and as an official of various baseball leagues in the area in which he lived.

During his long residence in the borough of Norristown, Mr. Ganser held many offices and was the recipient of many honors. Among these were: secretary, Knights of Friendship and chairman of the 50th and 75th anniversaries of this organization whose convention was held in Norristown; member General Grant Council, No. 82, Junior Order United American Mechanics and chairman of their State Convention held in Norristown; a member for 44 years of Norris Hose Co., 28 years its secretary and two years its president; chairman, executive committee, Montgomery County Firemen's Association; member executive committee, Pennsylvania State Firemen's Association; treasurer for 12 years of Norristown Firemen's Union and Relief Association; chairman, Valley Forge Memorial Museum of Pennsylvania Firemen's Association, whose objective was to erect a new museum at the Valley Forge Chapel; member Charity Lodge No. 190 F. and A. M.; secretary Norristown Lodge No 213 Loyal Order of Moose in which organization he had held every executive office at some time.

Mr. Ganser's long and useful career was a credit to himself and to his community, and earned the respect and appreciation of his many friends and neighbors; therefore be it

Resolved, That this House of Representatives hereby extends its heartfelt sympathy and condolences to Mrs. Helen Oberholtzer Ganser, and to Mr. Ganser's children on their recent bereavement; and be it fuorther

Resolved, That copies of this resolution be transmitted to Mrs. Ganser and to the children of Mr. Ganser.

RESOLUTION

CONDOLENCE

Mr. HALL. Mr. Speaker, I would like to present a privileged resolution in memory of the Honorable John F. Stone, who will be remembered by the older members on the other side of the House as a man serving in the 1931-1933-1935 Sessions and who died at his home in Coudersport on Sunday. On behalf of his friends and relatives, I present this resolution.

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 8, 1953.

Unquestionably one of Pennsylvania's finest citizens, John F Stone, passed away at his home in Coudersport, June 7, 1953.

He was born March 2, 1862 in Harrison Township, the son of the late Levi and Hannah Stone.

His life was typical of the success of an Horatio Alger hero. At the age of 12, he began earning his own living. Borrowing time from his leisure hours, he attended high school and business college. Realizing that he was destined for greater things, he began the study of law and was admitted to practice before the courts of Pennsylvania in 1896.

Drawing upon his vast wealth of knowledge and experience he organized and became president of six banks. He was one of the original gas prospectors in Pennsylvania and, was in addition president of several gas, water and chemical companies.

John Stone's life was not devoted solely to the financial world, but rather his success in the art of finance formed a typical pattern for his other activities.

He was a man with an unfathomable feeling of loyalty to his fellowmen. He devoted most of his life and ability toward alleviating the adverse circumstances of the unfortunate, the ill and the bereaved.

To his community church and fraternities, he was the perfect member, he was never too busy or too tired to serve.

He faced life with a firm belief in God and the sure knowledge that right and principal were not to be sacrified upon the altars of necessity and expediency.

The reflection he cast upon the mirror of time shall not diminish with its passage, but shall forever shine as an example to all men of the man they shou'd be; now therefore be it

Resolved, That the House of Representatives adopt this resolution as a memorial tribute to the late John F. Stone and to the full and good life that was his; and be it further

Resolved, That the Clerk of the House of Representatives send a copy of this resolution to Mrs. Chester Sheffer, 2103 North Third Street, Harrisburg, Pennsylvania and Miss Marion Stone, Coudersport, Pennsylvania.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. FERSTER asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

Mr. HALL asked and obtained permission for the committee on Ways and Means to meet during the session of the House.

BILL ON THIRD READING

Mr. VAUGHAN asked and obtained unanimous consent to call up out of order House Bill 168 on page 28 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 168, entitled:

An Act to further amend the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes and making an appropriation" by further regulating

the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles.

On the question,

Will the House agree to the bill on third reading?

Mr. VAUGHAN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 21), page 5, line 5, by inserting after "ONLY]" "or twice before convicted and sentenced for any offense or who have been parole violators".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT

Mr. VAUGHAN. Mr. Speaker, I move that this House do now adjourn until Thursday, July 9, 1953 at 9:00 a. m. EST.

The motion was agreed to, and (at 6:18 p. m. EST.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., THURSDAY, JULY 9, 1953. No. 62.

SENATE

THURSDAY, July 9, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. PHILIP SENFT, Pastor of Trinity Evangelical and Reformed Church, Everett, offered the following prayer:

Father of all men, place Thy benediction upon the deliberations of these representatives of the citizens of our Commonwealth, that such acts of government may be made as will assist all citizens to do Thy will on earth as it is in Heaven.

In the spirit of Christ, who makes all good things possible, we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of naminations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on July 9, 1953.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Elizabeth Beggs, Wilkinsburg, Pittsburgh 21.
Marvin L. Horelick, Pittsburgh, 6339 Penn Avenue (6).

BEAVER COUNTY

Mrs. K. V. Dudley, Aliquippa.
J. F. Huber, Beaver Falls.

CRAWFORD COUNTY

Mrs. Betty Foulk, Meadville.

DAUPHIN COUNTY

G. H. Myers, Harrisburg.

INDIANA COUNTY

Mrs. Betty W. Bruce, Indiana.

LEHIGH COUNTY

W. F. Elliott, Allentown.

NORTHAMPTON COUNTY

Mrs. Harriette C. Stulz, Easton.

PHILADELPHIA COUNTY

Miss Beatrice H. Callan, 32 W. Highland Ave.
Henry Donn, 6836 Algon Ave. (11).
John J. Zarroli, 12 South 12th St. (7).

WESTMORELAND COUNTY

Mrs. Elizabeth N. Douglass, Latrobe.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOLFE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES

Mr. PECHAN, from the Committee on Education, reported as amended Senate Bill No. 454, entitled:

An Act to amend Section 11.1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contrbuting employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes: exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" by providing for certain repayments to contributors in case of withdrawal.

Mr. FLEMING, from the Committee on Banking, reported as committed House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the busines of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by increasing the minimum amount of interest and charges on loans

Mr. KOPRIVER, JR., from the Committee on Elections, reported as committed Senate Bill No. 321, entitled:

An Act providing that when a vacancy in any elective office of any political subdivision is filled by appointment, the appointing authority shall give notice of the appointment to the county election board.

BILLS INTRODUCED AND REFERRED

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 772, entitled:

An Act to amend the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1734) entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts" by changing the composition of the Twenty-eighth and Twenty-ninth Congressional Districts

Which was committed to the Committee on Reapportionment.

Messrs. KESSLER and MAHANY read in place and presented to the Chair Senate Bill No. 773, entitled:

An Act to further amend the act, approve dthe ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Procurement Advisory and Review Commission as a departmental advisory commission within the Department of Property and Supplies; and defining its powers and duties.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 774, entitled:

An Act to further amend section two thousand four hundred nine of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by increasing from less than than fifty dollars to less than three hundred dollars the cost of articles the Department of Property and Supplies may purchase at its discretion under certain conditions in the open market.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 775, entitled:

A Joint Resolution proposing an amendment to section twelve, article three, of the Constitution of the Commonwealth of Pennsylvania, providing for the purchasing of stated commodities in such manner as may be prescribed by law, and authorizing use of an escalation clause.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. PECHAN, WAGNER and HARNEY read in place and presented to the Chair Senate Bill No. 776, entitled:

An Act to further amend Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for reimbursements by the Commonwealth to school districts on account of instruction.

Which was committed to the Committee on Education.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 777, entitled:

An Act to amend subsection 6.2 of section 8 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending time in which back payments to fund shall be paid by employes and requiring payment of contributions by the Commonwealth and school districts in such cases.

Which was committed to the Committee on Education.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 778, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred fifty-one and prior sessions.

Which was committed to the Committee on Appropriations.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 779, entitled:

An Act to further amend the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by further defining property, property subject to escheat and beneficial owner; conferring jurisdiction upon certain courts, providing for procedure, and permitting the joinder of items in escheat proceedings.

Which was committed to the Committee on Judiciary General.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1152, Printer's No. 469, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by making certain changes in the grievance procedure provided for in the act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 199

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 199.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 359, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE No. 359

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 359.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 543, as follows:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the annexation of territory in a second class township to a borough city or township is desired a majority of the freeholders in the proposed annexed territory shall petition the borough city or township requesting the annexation the determination of the required number of petitioners shall be made as of the date of the petition is presented to the borough or city The petition shall be accompanies by a fee of one hundred fifty dollars ($150) and shall be approved or dis-

approved by ordinance of said borough city or township The said sum shall be applied to tre purpose expressed in Section 8 hereof and shall be returned to the petitioners if found unnecessary for the purpose

A copy of the petition without the signatures shall be filed with the supervisors of the township concerned prior to its presentation to the city borough or township and a certification of such filing shall be signed by at least one signer of the petition and be attached to the petition when presented to the city borough or township

A majority in interest of owners of undivided interests in any piece of property shall be deemed and treated as one person for the purpose of ascertaining the number of petitioners

Section 2 The petition after its approval by council commissioners or supervisors shall be certified to the court of quarter sessions by the secretary of the borough or township or clerk of the city If within thirty days thereafter no person aggrieved by the ordinance complains to the court asking for the appointment of a board of commissioners as a fact finding body the court shall determine the question and if it is satisfied as to the legality of the proceeding and the propriety of the annexation as serving public interest shall affirm the annexation

Section 3 If within thirty days after the ordinance has been certified to the court any person aggrieved by the ordinance shall complain to the court asking for the appointment of a board of commissioners as a fact finding body the court if satisfied with the legality of the proceeding and the propriety of the annexation as serving public interest shall appoint a board of thre commissioners to make a study of the facts in the matter No person shall be appointed as a member of the board who is a resident or taxpayer of the borough or city or of the township affected by the proposed annexation or who has a substantial interest in the proceeding financial or otherwise

Section 4 Within sixty days after its appointment the board shall inquire into and make findings of fact as to (1) the relative advantages and disadvantages to the borough city or township and the township affected by the annexation (2) the assessed valuation of the township the assessed valuation of the territory to be annuexed and how the annexation would affect the remainder of the territory (3) the township indebtedness (4) the value of all public improvements including but not limited to roads buildings and swers in the territory to be annexed and the indebtednes chargeable thereto (5) the future plan of the entire area and (6) any other matters directed by the court

Section 5 The court shall consider the findings of the board together with any facts that may be submitted to it and shall make an order either dismissing the proceedings or affirming the annexation

Section 6 The annexation if affirmed by the court shall become effective as of the date of approval by the court if that date is two months or more prior to the date of the next election or primary If the date of approval by the court is less than two months prior to the date of the next election or primary then the annexation shall take effect immediately after the election or primary

Section 7 If the court shall affirm the annexation it shall adjust the indebtedness as provided by law Taxes levied prior to the effective date of the annexation shall be paid to the township where levied and the collection and enforcement shall be as though the land had not been annexed

Section 8 The members of the commission shall be compensated to the extent of fifty dollars ($50) each which shall be deposited in said court by the borough city or township

Section 9 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 543

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House o Senate Bill No. 543.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh.		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33, as follows:

An Act to amend section 2 of the act approved the first day of April one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges with loads of excessive weight and inflicting penalties" by providing for payment of costs of prosecution for imprisonment in default of payments of fines and costs and for the disposition of fines penalties and forfeitures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the first day of April one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges with loads of excessive weight and inflicting penalties" is hereby amended to read as follows

Section 2 (a) Any person violating any of the provisions of this act and the owner of any vehicle driven upon any bridge in violation of this act shall upon summary conviction thereof before a justice of the peace aldeman or magistrate be [subject] sentenced to pay a fine of not less than one hundred dollars ($100) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than ten (10) days

(b) All fines and penalties collected under the provisions of this act for violation of the same and all bail forfeited shall be paid to the Department of Revenue and transmitted to the State Treasury and credited to the General Fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska.	McCreesh.		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 34, as follows:

An Act authorizing the Delaware River Joint Toll Bridge Commission with approval of the Secretary of Highways to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purposes of the Commission and providing for the disposition of proceeds thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Delaware River Joint Toll Bridge Commission subject to the approval of the Secretary of Highways is hereby authorized and empowered to sell or otherwise dispose of any property other than bridges and approaches which was acquired by the Commonwealth in connection with the acquisition of joint State-owned bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and which is deemed by the Commission to be no longer useful or needed for the purposes of administering operating or maintaining such bridges The proceeds of any such sale shall be paid to the State Treasurer who shall deposit the same into the General State Fund

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson. Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 118, as follows:

An Act to further amend Section 612 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the weight of tractors on bridges changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 612 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) enittled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligence operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1996) is hereby further amended to read as follows

Section 612 Regulating Weight of Tractors on Bridges Where any bridge causeway or viaduct owned or maintained whether owned in whole or in part by this Commonwealth or local authorities other than interstate bridges as now provided by law shall have a sign properly posted in a conspicuous place at the entrance thereto stating the gross maximum weight permitted thereon it shall be unlawful for any person to drive or cause to be driven upon any such bridge causeway or viaduct any tractor which together with its load shall be of greater gross maximum weight than is mentioned in such sign [Provided however That restrictions as to maximum weight mentioned in such signs shall not apply for a period exceeding one (1) year from the date of posting of such signs unless a further extension of time is authorized by the Secretary of Highways of this Commonwealth]

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [ten ($10)] fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, asd agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 124, Printer's No. 303, and
House Bill No. 223, Printer's No. 307.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 226, on third raeding, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the reassessment of certain property in townships of the first class in certain cases and imposing liability for township taxes upon the owners thereof

be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

Teh motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281, Printer's No. 336, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 305, as follows:

An Act to further amend Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by designating employes of the County Planning Commission as county employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "County Employe" in Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" as last amended by the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1723) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

* * * * *

"County Employe" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board or any independent poor district thereof and employed by the county by the county prison authorities by the county house of detention authorities [or] by the county retirement system or by the county planning commission whose salary or compensation is paid in regular periodic installments but shall not except as hereinafter provided include any person who is employed on a per diem basis

* * * * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McGinnis,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Lane,	McPherson, Jr.	Wade,
Camiel,	Kephart,	Miller,	Wagner,
Chapman,	Kessler,	Pechan,	Walker,
Crowe,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 317, as follows:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section eighteen article eight is hereby amended to read as follows

Section 18 The General Assembly may by general law provide a manner in which and the time and place at which qualified war veteran voters may vote who are unable to attend at their proper polling places because of being bed-ridden or otherwise physically incapacitated and may provide for the return and canvass of their votes in the election district in which they respectively reside Positive proof of being bed-ridden or otherwise physically incapacitated shall be given by affidavit or by certification of a physician hospital or other authenticated source

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342, as follows:

An Act to further amend Section 31 of the act approved the twenty-ninth day of March one thousand nine hundred three (P. L. 542) entitled "An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned" by permitting the Commissioners to conduct hearings when complaints are not filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 31 of the act aprpoved the twenty-ninth day of March one thousand eight hundred three (P. L. 542) entitled "An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned" as amended by the act approved the eighth day of June one thousand nine hundred seven (P. L. 469) is hereby further amended to read as follows

Section 31 If any pilot shall misbehave himself in the execution of his duty so that damage shall accrue by reason of his negligence or incapacity it shall be lawful for the [person or persons injured or aggrieved to complain to the said] Board of Commissioners of Navigation [who shall thereupon] to appoint a time and place of hearing of which due notice shall be given such pilot and upon due proof being made thereof to the said Board of Commissioners of Navigation it shall be lawful for them to fine such pilot in any sum not exceeding the amount of the pilotage of the ship or vessel to which such damage shall have happened for the use of decayed pilots their widows and children or to suspend such pilot for any term which the said Board of Commissioners of Navigation may deem proper and in every case of suspension the pilot shall deliver up his license to the said Board of Commissioners of Navigation to be by them kept till the time for which he may have been suspended shall have expired Provided always That any one who shall consider himself aggrieved by the decision of the said Board of Commissioners of Navigation shall have the right to have such decision reviewed by the court of common pleas of the said county of Philadelphia And provided further Nothing herein shall prevent any person or persons recovering his or their damages in a court having jurisdiction over the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 381, as follows:

An Act to amend section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 911 Additional Width of State Highways by Counties Townships and Boroughs Whenever a State highway is constructed and the State pays a portion of the cost and the county or township or borough pays a portion of the cost or the State pays the entire cost and it is deemed advisable to widen the State highway beyond the width as laid out and ordered by the secretary or other body having authority over the same the county and township or borough jointly or the township or borough may increase the width of the State highway including the width of right of way with consent of the secretary or other body having charge of the construc-

tion of said State highway An increase in the width of right of way may be by the adoption of the official plan of the Department of Highways by the township or borough The cost of such additional width shall be born jointly by the county and township or borough or wholly by the said township or borough as the case may be Authority is hereby given the several counties through their commissioners and the several townships and boroughs through their proper officers to enter into agreement providing for the additional width of the State highway in accordance herewith Such additional width shall be constructed under the supervision of the department and according to its plans and specifications

Section 2 The provisions of this act shall become effective immediately upon its final adoption

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh.		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 382, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1101 and subsections (a) and (e) of section 1102 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) are hereby further amended to read as follows

Section 1101 Power to Lay Out Open Widen Vacate Et Cetera The township supervisors may by ordinance enact ordain survey lay out open widen straighten vacate and relay all roads and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such road passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the supervisors it is necessary for the public convenience Such power shall include authority to vacate in whole or in part roads laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city borough or township and to provide in any ordinance for the vacation of a road that all or part thereof shall be a private road

The township supervisors may also by ordinance enact ordain survey lay out open widen straighten vacate and relay roads partly within the township where similar concurrent action is taken by the authorities of all political subdivisions where the road is located

The township supervisors may also by ordinance provide for the widening straightening or improvement of a State highway with the consent of the Secretary of Highways by the adoption of a plan therefor and may expend township funds in connection therewith The supervisors may adopt a plan of the Department of Highways as the official plan of the township

When any petition is presented to the township supervisors under the provisions of this section and the supervisors fail to act on the petition within sixty (60) days the petitioners may present their petition to the court of quarter sessions which shall proceed thereon as provided by the general road law

No such road shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 1102 Hearing Report Exceptions Thereto View and Notice (a) Prior to the passage of any ordinance for the laying out opening changing or vacating of any road or highway or section thereof the supervisors shall give ten days' written notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the supervisors and by the parties interested at such meeting or any adjournment thereof

* * * * *

(e) After the passage or approval of any ordinance by the supervisors for the opening widening straightening extending or vacating any road notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the road or highway Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

Section 2 The provisions of this act shall become effective immediately upon its final adoption

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska.	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably or order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 392, as follows:

An Act to further amend subsection (a) of section 805 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions relating to lighting equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 805 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 805 Use Test and Approval of Lamps

(a) It shall be unlawful for any person to install or use upon a motor vehicle upon a highway any electric head lamp lens reflector or headlight control device or any electric auxiliary driving lamp rear lamp back-up lamp mechanical signal device or signal lamp unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 430, as follows:

An Act to add Section 1035 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the depositing of foreign material on highways and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicle and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of

vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after Section 1034 a new section to read as follows

Section 1034 Dragging Dropping or Depositing Foreign Material on Highways No person shall operate a vehicle on the highways of this Commonwealth which drags drops deposits or in any other manner places any foreign substance or matter which may endanger or interfere with persons properly using said highway within the area set aside for public use or roughen the surface thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

In addition to the aforesaid penalty such person shall be liable in an appropriate action for all costs incurred by the authorities responsible for maintenance of the highway in the removal of such foreign substance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker.
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A mapority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 443, as follows:

An Act to amend Section 785 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as wells to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the payment to the State Public School Building Authority by the State Superintendent of Public Instruction of the State appropriations withheld for nonpayment of rental by school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 785 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as added by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) is hereby amended to read as follows

Section 785 Failure to Pay Rent Withholding Appropriation In all cases where [an audit under the direction of the State Superintendent of Public Instruction reveals that] the board of directors of any school district [has failed] fails to pay or to provide for the payment of any rental or rentals due the State Public School Building Authority for any period in accordance with the terms of any lease entered into under the terms of [these amendments] this act upon written notice thereof from the Authority the State Superintendent of Public Instruction shall notify such board of school directors of its obligation and shall withhold out of any State appropriation due such school district an amount equal to the amount of the rental or rentals owing by such school district to the State Public School Building Authority and [may] shall pay over the amount so withheld to the Authority on account of such rental or rentals

Section 2 The provisions of this act shall become effective immediately upon final enactment

And asid bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McGinnis,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery.	Snowden,	Wood,
Haluska,	McCreesh,	Stevenson,	Yosko,

NAYS—2

Chapman,	Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 463, as follows:

An Act to further amend subsection (b) of section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board and imposing duties on county solicitors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 1403 of the act approved the third day of June one thousand nine hundred

thirty-seven (P. L. 133) entitled "An act concerning elections including general municipal special and primary elections the nomination and candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1936) is hereby further amended to read as follows

Section 1403 Place of Meeting for Computation of Votes Notice Papers to Be Prepared Assistants to Be Sworn

* * * * *

(b) If any member of the county board of any county shall be a candidate for any nomination or election to public office he shall not act as a member of said board for the computation and canvassing of returns but the other members if qualified shall act and in case in any county there are not at least a majority of the members of said board so qualified two (2) or more judges of the court of common pleas shall be designated by said court to act as a return board provided that neither of them is a candidate for any nomination or election to public office and if there shall be only one judge of such court in such county or if less than two (2) judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified [the prothonotary of such county shall act as the return board and if the prothonotary shall be a candidate for any nomination or election to any public office then the sheriff of the county shall act as the return board and if the sheriff shall be a candidate for any nomination or election to any public office then the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district who shall act as the return board] the following county officers in order named not being candidates for any nomination or election to any public office shall act as the return board the prothonotary sheriff county treasurer clerk of the orphans' court clerk of oyer and terminer and quarter sessions court register of wills and the recorder of deeds If none of the above officers can qualify the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district who shall act as the return board The county solicitor shall serve as counsel for the return board in the several counties of the Commonwealth and shall receive no additional compensation therefor in addition to his compensation as county solicitor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
Diehm,	Leader,	Propert,	Watson,
Fleming,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Harney,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 482, Printer's No. 367, and

House Bill No. 500, Printer's No. 432.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 585, as follows:

An Act to further amend subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling includings liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscelelanous receipts making an appropriation and providing for refunds" by prohibiting the possession of certain certificates of inspection and approval.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 813 Official Inspection Stations
* * * * *

(f) It shall be unlawful for any person to furnish give or sell to any owner or operator of a motor vihicle trailer or semi-trailer or to any other person or to place in or on any motor vehicle trailer or semi-trailer a certificate of inspection and approval unless an official inspection of its mechanism and equipment shall have been made and the motor vehicle trailer or semi-trailer conforms with the provisions of this act It shall be unlawful for any such designated official inspection station to furnish loan give or sell a certificate or certificates of inspection and approval to any other such designated official inspection station or any other persons except those entitled to receive them under the provisions of this act It shall be unlawful for any person to have in his possession any certificate of inspection and approval with knowledge that such certificate has been illegally purchased stolen or counterfeited

Penalty Any owner of an official inspection station who by himself agent servant or employe or any manager operator or employe thereof or any other person who violates any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five ($25.00) dollars nor more than fifty dollars ($50.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 590, on third reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by adding thereto a new Article VII relating to title insurance; defining and providing for the organization of title insurance companies, the regulation and supervision of title insurance and the title insurance business of bank and trust companies, trust companies or other corporations; prohibiting the transaction of the business of title insurance except by title insurers, as defined, providing for the regulation of title insurance underwriters, as defined, prescribing the terms and conditions upon which foreign title insurance companies may be admitted, or may continue to do a title insurance business within the Commonwealth; conferring powers and duties upon the Insurance Commissioner and the Banking Department with respect thereto; imposing penalties and repealing certain acts and parts of acts relating to title insurance companies and the business of title insurance.

be recommitted to the Committee on Insurance.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 591, on third reading, entitled:

An Act relating to the regulation of rates for title insurance which may be charged by title insurance companies both domestic and foreign banks and trust companies or trust companies having the power to make title insurance and title insurance underwriters to rating organizations conferring on the Insurance Commissioner the power and duty to supervising and regulating persons associations companies and corporations and enforcing the provisions of this act prescribing and regulating the practice and procedure before the Insurance Commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for the enforcement thereof repealing the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 538) insofar as it applies to title insurance repealing inconsistent acts and continuing existing filings and proceedings

be recommitted to the Committee on Insurance.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 605, as follows:

An Act to amend the title section two and subsection (c) of section four of the act approved the twenty-seventh day of September one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from

taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds" by providing for the construction operation and maintenance of central connection extensions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of September one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State Highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds" is hereby amended to read as follows

An Act

To facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers including a central connection extension from a point on the Northeastern Extension westwardly to a point at or near the Susquehanna River and a central connection extension from a point on the Northeastern Extension eastwardly to a point at or near the Delaware River and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxatilon constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

Section 2 Section two of said act is hereby amended to read as follows

Section 2 In order to facilitate vehicular traffic across the Commonwealth and to provide additional traffic facilities to the industrial communities of the northeastern section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act approved the [21st day of May 1937] twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna River at Sayre and the Delaware River including a central connection from a point on the Northeastern Extension westwardly to a point at or near the Susquehanna River and a central connection extension from a point on the Northeastern Extension eastwardly to a point at or near the Delaware River together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of any and all construction

Section 2 Subsection (c) of section four of said act is hereby amended to read as follows

Section 4 The following words and terms shall have the following meanings

* * * * *

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a connection with the Pennsylvania Turnpike System east of the Susquehanna River to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna River at Sayre and the Delaware River including a central connection extension from a point on the Northeastern Extension westwardly to a point at or near the Susquehanna River and a central connection extension from a point on the Northeastern Extension eastwardly to a point at or near the Delaware River and may be constructed as a whole at one time or in sections from time to time as the Commission shall determine and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

* * * * *

Section 4 his act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Chapman,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 612, Printer's No. 434,
House Bill No. 613, Printer's No. 435, and
House Bill No. 626, Printer's No. 130.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 682, as follows:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by further prescribing the powers of the board prescribing certain educational requirements further providing for the issuance of reciprocal certificates and further defining certain unlawful acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 3 4 and Clause (6) of Section 5 of the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" are hereby amended to read as follows

Section 3 General Powers of the Board The Board shall have the power

(1) To provide for and to regulate the issuance of certificates [to certified public accountants] and to issue upon passing the examination required by the board [except as otherwise provided herein] and meeting the educational and experience requiremnts provided herein a certificate of certified public accountant to any person of good character and repute if such person resides or is engaged in public accounting in this Commonwealth is a citizen of the United States is at least twenty-one (21) years of age and speaks and writes the English language [and meets any of the experience requirements hereinafter specified]

(2) To prescribe the subject manner time and place of examination for the certificate of certified public accountant to collect fees for such examination and to issue certificates to such persons as pass examinations Provided That an examination shall be held at least once in each calendar year and simultaneously in at least two counties of the Commonwealth and shall be a written examination in commercial law as affecting public accounting and in general accounting including theory of accounts accounting practice auditing and taxation The board may use the examination service of the American Institute of Accountants

(3) To keep a roster showing the names and the places of business of persons to whom the certificate of certified public accountant has been issued under this act and under prior laws The department shall publish such roster biennially in booklet form and shall mail copies thereof to each certified public accountant listed and shall furnish the same to other persons upon request

(4) To suspend for a fixed term or revoke the certificate of any certified public accountant who is found guilty by the board by a unanimous vote of all its members of the practice of any fraud deceit or wilful misrepresentation in obtaining his certificate or of wilful gross negligent fraud deceit or wilful misrepresentation in practice as a certified public accountant or who has under any state or Federal law pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or jury of a felony and to reinstate certificates in all cases where a majority vote of the board shall determine the same to be just and proper

(5) To submit biennially to the department an estimate of the financial requirements of the board for its administrative investigative legal and miscellaneous expenses

(6) To arrange for assistance in the performance of its duties and to administer and enforce the laws of the Commonwealth relating to practice by certified public accountants and to instruct and require its agents to seek an injunction or bring a prosecution for a violation of this act

(7) To keep minutes and records of all its transactions and proceedings Copies thereof duly certified by the Secretary of the board shall be received as evidence in all courts and elsewhere

(8) To become a member of the Association of Certified Public Accountant Examiners or a similar organization and to pay such dues as said association shall establish and to send delegates to the annual meeting of the association and to defray their expenses

(9) To adopt promulgate and enforce such administrative rules and regulations not inconsistent with this act or other acts as are necessary and proper to carry into effect the provisions of this act

(10) To revoke or suspend by unanimous vote of the board the certificates of certified public accountants or to censure or reprimand the holder of such certificate when the holder has been found guilty of unprofessional conduct as defined in the rules established by the board such rules to represent the concensus of the certified public accounting profession in Pennsylvania in respect to such conduct

Section 4 Education and Experience Requirements [A certificate of certified public accountant shall not be issued to any person until the board shall be satisfied that he

has complied with one of the following experience requirements by serving

(1) At least two years in the office of a certified public accountant or an accountant in public practice or (2) at least two years in public practice as an accountant or as a member of a firm of accountants so engaged

The board may in its discretion issue a certificate to any honorably discharged veteran who shall have served in the armed forces of the United States during any period of World War II prior to the termination of hostilities as declared by the President of the Unted States without regard to his compliance with either of the experience ments prescribed herein]

Nothing contained in this section shall be construed to prevent any person from taking an examination before he has complied with either of the experience requirements prescribed herein]

Before any person is permitted to take the examination or is issued a certificate of certified public accountant the board shall be satisfied that he has complied with the following requirements

(1) Completed a four-year high school course or its equivalent and has had at least three (3) years of public accounting experience of a caliber satisfactory to the board or

(2) Is a graduate of a college or university approved by the State Council of Education giving a four-year course and has had at least two (2) years of public accounting experience of a caliber satisfactory to the board

The foregoing provisions shall not apply in the following cases

(1) A person who has previously taken the examination under prior provisions of this act shall continue to be permitted to take the examination and receive his certificate subject to such prior provisions

(2) The board may in its discretion issue its certificate to any honorably discharged veteran who served in the armed forces of the United States without regard to his compliance with either of the experience requirements prscribed herein

Section 5 Reciprocal Certificates Without written examination upon application to and upon the recommendation of the board but subject to the payment of a fee to be fixed by the department which fee is to accompany the application the board shall issue a certificate of certified public accountant issued as a result of a written examination by any other state or political subdivision of the United States Provided That the applicant shall submit evidence satisfactory to the board that

* * * * *

(6) His [accounting] education and experience [is] are substantially equivalent to the requirements of this act for issuance of a certificate as a certified public accountant in this Commonwealth

Section 2 Section 12 of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 12 Unlawful Acts

* * * * *

(g) Except as prescribed in subsection (a) in respect of certified public accountants it is unlawful for any person to use a title including the word "certified" as a part thereof for the practice of any type of bookkeeping accounting aduiting tax or other professional practice related thereto or to use any abbreviation of the word "certified" or its initial letter in such a manner

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Chapman,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 683, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 16.96 acres more or less of land situate partly in the Township of Bristol Bucks County and partly in the Borough of Tullytown Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsyqlvania to sell at public sale to the highest bidder the following described tract of land situate partly in the Borough of Tullytown and partly in the Township of Bristol County of Bucks and Commonwealth of Pennsylvania bounded and described as follows

All that portion of the Delaware Division of the Pennsylvania Canal extending from the center line of the Fallsington-Tullytown Road to a line parallel to the center ine of the Edgely Road 145 feet eastwardly from said center line of the Edgely Road containing 16.96 acres be the same more or less and being part of the same land conveyed to the Commonwealth of Pennsylvania by deed of The Delaware Division Canal Company of Pennsylvania by deed dated October 31 1940 and recorded in Bucks County Deed Book 692 at page 496

The conveyance shall be made under and subject nevertheless to the restriction that the land shall be used for purposes of recreation and public parking only and that no building or buildings shall be erected thereon and under and subject to all easements servitudes and rights of others including but not confined to streets roadways and rights of telephone telegraph water electric gas or pipe line companies as well as under the subject to any estate or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon and under and subject to the right of flowage of water through the canal without diminution thereof If any portion of the canal shall be filled the flowage of water shall be maintained by means of a pipeline as the Department of Forests and Waters shall require and which shall be subject to the approval of the Department of Forests and Waters The cost of construction and maintenance of the pipeline shall be borne by the grantees

Section 2 The deed of conveylance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized shall be paid into the General Fund

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 688, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section (b) of section 411 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the tenth day of August one thousand nine hundred fifty-nine (P. L. 1200) is hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards

* * * * *

(b) When transfer of registration plates is made from one motor vehicle trailer or semi-trailer to another owned by the same person or [ownership of] when transfer of registration plates issued for a motor vehicle trailer or semi-trailer [is transferred from a husband to his wife or from a wife to her husband or from either to both jointly or from both jointly to either husband or wife] owned by a husband or wife or jointly is made from one motor vehicle trailer or semi-trailer to another owned by either husband or wife or jointly application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification then that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class Such application shall also be accompanied by the owner's registration card or the registration card of the husband or wife or husband and wife making such transfer

* * * * *

Section 2 Subsection (d) of section 506 of said act is hereby repealed

Section 3 Section 507 of said act as amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) is hereby further amended to read as follows

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner or when transfer of registration plates issued for a motor vehicle trailer or semi-trailer owned by a husband or wife or jointly is made from one motor vehicle trailer or semi-trailer to another owned by either husband or wife or jointly the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
Diehm,	Leader,	Propert,	Watson,
Crowe,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,

Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 704, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing provisions concerning notice to owners of property in regard to assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2507 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby repealed

Section 2 Section 2518 of the act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 2518 Notice of Taxables of Assessments Appeals The assessor shall give or cause to be given [at least five days] printed or written notice to each taxable of the city whose property is newly assessed or whose last previous assessment has been increased or diminished of the amount or sum for which such taxable stands rated in any assessment whatsoever The said notice shall also inform the taxable of the requirements of this section as to appealing from any assessment Such notice may be served personally or by posting on the premises or by mailing the same to the last known address of the taxable Any person dissatisfied or aggrieved by any assessment or any change thereof made by the assessor may appeal to the said board of revision and appeal by filing with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

The statement of intention to appeal shall be filed with the said board not later than thirty days after the notice of assessment has been mailed to the taxable at his last known address or has been served upon him personally or has been posted upon the premises No appeal shall be permitted except upon such a statement of intention as assessment not designated in his statement of intention herein required nor may any taxable appeal as to an to appeal The board shall fix the time and place of hearing appeals and shall [notify] give at least five days notice to the taxable [thereof]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 708, as follows:

An Act to amend section twelve hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the duties and jurisdiction of the Board of Property to cases involving the title of land or interest therein brought by persons who claim an interest in the title of lands occupied or claimed by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-one (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 1207 Board of Property The Board of Property shall subject to any inconsistent provisions in this act con-

tained continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

It shall hear and determine in all cases of controversy on caveats in all matters of difficulty or irregularity touching escheats warrants on escheats warrants to agree rights of preemption promises imperfect titles or otherwise which heretofore have or hereafter may arise in transacting the business of the Land Office in the Department of Internal Affairs Provided however That no determination of the Board of Property shall be deemed taken and construed to prevent either of the parties frfom bringing their action at the common law either for the recovery of possession or determining damages for waste or trespass

The Board of Property shall also have jurisdiction to hear and determine cases involving the title to land or interest therein brought by persons who claim an interest in the title to lands occupied or claimed by the Commonwealth

The board shall make its determination within thirty (30) days after the final hearing on any of the above matters and notify by mail all parties or their attorneys of the board's determination which determination shall be binding and final as to all parties to the proceedings unless a party to the proceedings shall within thirty (30) days after the determination of the board file an appeal to the Court of Common Pleas of Dauphin County sitting for Commonwealth cases with notice to the board which appeal shall act as a supersedeas upon the payment of such costs and fees as the board shall direct whereupon copies of the determination and all pleadings before the board duly certified by the secretary thereof shall be transmitted by the board to the Prothonotary of the Court of Common Pleas of Dauphin County and duly proceeded with under the provisions of the Pennsylvania Rules of Civil Procedure the Act of June 21 1937 (P. L. 1982) as now in effect or hereafter amended and with the right of a party to the action including the Commonwealth to appeal from any decision rule or order of the said Court of Common Pleas as is now or has been hitherto permitted in actions brought against other entities and persons than the Commonwealth of Pennsylvania

Section 2 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 709, as follows:

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth certain real estate adjoining Indiana State Teacher's College in the Borough of Indiana Indiana County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies is hereby authorized to accept on behalf of the Commonwealth for the use of Indiana State Teachers' College that tract of land situate in the Borough of Indiana Indiana County Pennsylvania and adjoining Indiana State Teachers' College bounded and described as follows

Beginning at a point on the easterly side of Maple Street and the northerly right of way line of the Pennsylvania Railroad said point also being the southerly line of College Avenue now vacated thence northwardly along the easterly side of Maple Street 15 feet to a point on the center lin of College Avenue aforesaid thence eastwardly through the center line of said College Avenue 1295.55 feet to the westerly side of South Street thence along the westerly side of South Street in a southeasterly direction 17.15 feet to the northerly line of the right of way of the Pennsylvania Railroad thence eastwardly along the northerly line of the right of way of the Pennsylvania Railroad 1305.1 feet to the place of beginning and being the southerly one-half of College Avenue now vacated This description is made from a survey made by Paul L. Botsford Registered Professional Engineer March 4 1953

Section 2 The title to said real estate shall be taken in the name of the Commonwealth and shall before its acquisition be approved by the Department of Justice

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 77, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata Township Lancaster County with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land known as Ephrata Cloister situate in Ephrata Township Lancaster County Pennsylvania bounded and described as follows

Beginning at a point in the middle of the State Highway Route Number 222 leading from Reading toward Lancaster said point being situate 34.10 feet north of the northwest corner of property of Mount Zion Cemetery and said place of beginning marking also a corner in common with property of the Commonwealth of Pennsylvania thence north 3 degrees 58 minutes east along the Public Road leading toward Lincoln a distance of 274.90 feet to a point thence north 86 degrees 17 minutes west along the middle of an unopened road a distance of 525.52 feet to a point in the middle of the aforementioned State Highway Route Number 222 thence along the middle of said State Highway south 60 degrees 26 minutes west a distance of 624.80 feet to the place of beginning containing one acre and 102.93 perches strict measure including the area within the right of way of the aforementioned roads Being a part of the same premises which the Receiver of the German Religious Society of the Seventh Day Baptists conveyed to the Commonwealth of Pennsylvania by deed dated the twenty-seventh day of May one thousand nine hundred forty-one and recorded in Lancaster County Deed Book "C" Volume 35 at page 577

This conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the Historical Preservation Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Watkins,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 789, as follows:

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglary and requiring the county to pay the cost of such insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding after section 54 a new section to read as follows

Section 54.1 Insurance to Protect Against Robbery burglary and Larceny Each county officer or employe who as part of his official duties handles money or has money in his possession at any time shall in addition to any bond required by law be covered by or furnish to the county adequate insurance indemnifying against the loss of such money through robbery burglary and larceny The cost of such insurance shall be paid by the county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	McPherson, Jr.	Pechan,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Dent,	Letzler,	Propert,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Fleming,	Mallery,	Snowden,	Wood,
Freed,	McCusker,	Stevenson,	Yosko,
Haluska,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 806, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale the following described track of land situate in the Borough of Brookville Jefferson County Pennsylvania

Beginning at an iron pipe on the West edge of South Main Street 44.3 feet South of the intersection of the

West edge of South Main Street with Thompson Street running thence South 35 degrees West for a distance of 150 feet along the West edge of South Main Street to an iron pin thence North 55 degrees West a distance of 216 feet to an iron pin on the East edge of Kunz Street thence North 35 degrees East a distance of 127 feet along the East edge of Kunz Street to an iron pin thence North 1 degree 45 minutes East a distance of 14 feet along the edge of Kunz Street to an iron pin thence South 65 degrees 10 minutes 30 seconds East a distance of 117.63 feet to a point in the middle of a 16 foot alley thence South 35 degrees West a distance of 9.44 feet to a point thence South 55 degrees East a distance of 108 feet to a point of beginning 0.7445 acres more or less

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The money received by the Commonwealth as consideration for the sale and conveyance of said land shall be credited to the Motor License Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 883, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definitions of the words "clearance lamps" "parking lamps" and "signal lamps" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) are hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Clearance Lamps" A lamp or lamps so arranged to show white [green] or amber to the front and red to the rear

* * * * *

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white [green] or amber to the front and red to the rear

"Signal Lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red [green] or yellow to the rear as a cautionary signal

Section 2 Subsection (i) of Section 801 of the act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 801 Required Lighting Equipment

* * * * *

(i) Lights on Parked Motors Vehicles Whenever a motor vehicle is parked or stopped upon a highway or shoulder adjacent thereto whether attended or unattended during the time when lights are required by this section may in lieu of the lighting equipment specified show one (1) white or [green] amber light carried on the left side of the motor vehicle visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of five hundred (500) feet to the rear Provided That local authorities may by ordinance establish zones within which motor vehicles may remain standing without lights Any lighted head lamps upon a parked vehicle shall be depressed or dimmed

[Provided That nothing contained in this section shall make unlawful the use of lamps displaying a green light where this section provides for lamps displaying an amber light before the first day of January one thousand nine hundred thirty-eight]

Section 3 Subsection (g) of Section 802.4 of said act as

amended by the act approved the thirieth day of June one thousand nine hundred fifty-one (P. L. 963) is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" which was last amended by the act approved the twenty-eighth day of April one thousand nine hundred thirty-three (P. L. 100) is hereby further amended by adding immediately following section one thereof a new section to read as follows

Section 1-A The Department of Internal Affairs is directed to transmit all fees heretofore collected and all fees collected in the future under the provisions of this act to the State Treasurer through the Department of Revenue for deposit to the credit of the General Fund

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Kephart,	Peelor,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1298, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania bounded and described as follows

Beginning at a point in the northerly side line of River Drive said point being distant northerly 154.9 feet from station 774+75.18 of the stone monumented center line of the Lehigh and Susquehanna Railroad measured on a radical line therefrom being at the end of the ninth course in the conveyance from the Commonwealth of Pennsylvania to the Central Railroad Company of Pennsylvania dated October 31 1951

Thence along other lands of the Commonwealth north 58 degrees 1 minute 30 seconds west 47 feet to a point thence on a curve to the right having a radius of 891.5 feet a distance of 290.14 feet to a point of tangency thence south 50 degrees 37 minutes 20 seconds west 392.66 feet to a point of curve thence on a curve to the right having a radius of 536.5 feet a distance of 76.35 feet to a point thence south 31 degrees 13 minutes 30 seconds east 47 feet to a point in the northerly side of said River Drive said point being distanced northerly 309.57 feet from station 782+83.60 of the stone monumented center line measured on a radical line therefrom of the Lehigh and Susquehanna Railroad thence along the northerly right-of-way of the Lehigh and Susquehanna Railroad on a curve to the left having a radius of 583.5 feet a distance of 83.16 feet to a point of tangency thence along the same north 50 degrees 37 minutes 20 seconds east 392.66 feet to a point of curve thence along the same on a curve to the left having a radius of 938.5 feet a distance of 305.44 feet to the place of beginning containing .831 acre and being part of the same land transferred to the Commonwealth of Pennsylvania by Robert E Wright and Mary D Wright his wife by deed dated April 3 1903 and recorded in deed book "Y" volume 173 page 111

The conveyance shall be made under and subject to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the

Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The moneys received as the purchase price shall be paid into the General Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Kephart,	Peelor,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1300, as follows:

An Act to add section five of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" is hereby amended by adding immediately following section four thereof a new section to read as follows

Section 5 The Department of Internal Affairs is directed to transmit all fees heretofore collected and all fees collected in the future under the provisions of this act to the State Treasurer through the Department of Revenue for deposit to the credit of the General Fund and appropriations to carry out the provisions of this act are to be made from the General Fund upon proper budgetary request

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Kephart,	Peelor,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1353, as follows:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section four article two of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 4 Upon adoption of this amendment the General Assembly shall meet at twelve o'clock noon on the first Tuesday of January of the year following such adoption and shall meet at such time annually thereafter and at other times when convened by the Governor At regular sessions convening in even-numbered years the General Assembly shall not enact any laws except laws raising revenue laws making appropriations and laws pertaining to subjects designated by proclamation of the Governor prior to the first Tuesday of January

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Kephart,	Peelor,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1355, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the Highest bidder the following described tract of land situate in the Township of Collier County of Allegheny and Commonwealth of Pennsylvania bounded and described as follows

Beginning at the corner common to land now of the Commonwealth of Pennsylvania (Woodville State Hospital) and land now of the Duquesne Light Company said point being distant north 77 degrees 25 minutes west a distance of 172.35 feet from west right of way line of a 60 foot highway (Legislative Route No 108) thence through lands of Commonwealth of Pennsylvania north 77 degrees 25 minutes west 200.0 feet to a point thence through same north 12 degrees 35 minutes east 648.75 feet to a point on line of land now or formerly of J Keblish et al thence by line of land now or formerly of J Keblish et al south 85 degrees 15 minutes east 15.69 feet thence by same south 80 degrees 00 minutes east 184.65 feet to a point on line of lands of the Duquesne Light Company thence by said line south 12 degrees 35 minutes west 659.21 feet to a point at the place of beginning containing 3.01 acres be the same more or less

The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any state or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be paid into the General Fund of the State Treasury

Section 4 The tract of land herein authorized to be sold shall be sold free of any limitations or rights of reversion more particularly set forth in section one of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivsions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" and to such extent the provisions thereof are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Kephart,	Peelor,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Reresentatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the tax rate on property transferred to lineal descendants of adopted children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent

that Senate Bill No. 32, Printer's No. 389, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 35, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler Commonwealth of Pennsylvania known as the Veterans Administration Hospital and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for dispositions discovery and inspection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 283, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by exempting from such tax receipts derived from the operation of school buses in transporting pupils to and from school.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 444, Printer's No. 344,
Senate Bill No. 475, Printer's No. 345, and
Senate Bill No. 478, Printer's No. 384.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 516, entitled:

An Act to further amend Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by extending the filing period for capital stock franchise corporate loans and foreign bonus reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 537, on second reading, entitled:

An Act reinstating for the purpose of hearings members of the Pennsylvania State Police Force heretofore summarily dismissed.

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

he motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 576, entitled:

An Act defining and providing for the licensing of water well drillers conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 3, page 2, line 17, by striking out "dug" and inserting in lieu thereof: "or"; Amend Sec. 3, page 2, line 17, by striking out "or otherwise constructed"; Amend Sec. 3, page 3, line 8, by inserting after "jetting": "or"; Amend Sec. 3, page 3, line 8, by striking out "and digging."

They were agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 5, page 4, lines 8, 9, 10, by striking out "(4)" in line 8, all of line 9, and the words "as the board may require" in line 10; Amend Sec. 5, page 4, line 10, by striking out "five dollars ($5.00)" and inserting in lieu thereof: "ten dollars ($10.00)."

They were agreed to.

The section was agreed to as amended.

The sixth and seventh sections were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 8, page 5, line 9, by striking out "immediate"; Amend Sec. 8, page 5, line 11, by striking out "equipment" and inserting in lieu thereof: "machinery."

They were agreed to.

The section was agreed to as amended.

The ninth section was read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Sec. 10, page 6, line 19, by striking out "equipment" and inserting in lieu thereof: "machinery."

It was agreed to.

The section was agreed to as amended.

The eleventh and twelfth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 626, Printer's No. 370, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 638, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hunded ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 650, Printer's No. 372, and
House Bill No. 651, Printer's No. 204.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 752, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments boards and commissions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-one (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the written approval of the comptroller of requisitions for money appropriated to State departments boards or commissions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 763, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Millersville State Teachers' College to acquire a tract of land for the use of Millersville State Teachers' College and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 763, the bill just read, be re-referred to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 768, Printer's No. 374, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 811, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations Joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 1, (Sec. 2), page 4, line 11, by inserting brackets before and after "In" and inserting: "Except as hereinafter provided in the case of stock life insurance companies in"; Amend Sec. 1, (Sec. 2), page 6, line 11, by inserting after "year": "And provided further, That in the case of stock life insurance companies, "net income" shall be the adjusted normal tax net income as returned to and ascertained by the Federal Government"; Amend Sec. 1, (Sec. 3), page 17, line 6, by inserting after "fifty-five": "And provided further, That in the case of stock life insurance companies, the rate shall be one half of one per centum per annum on each dollar of the net income of such corporations received by and accruing to such corporations during the calendar years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five, except

where such a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case the rate shall be one half of one per centum per annum on net income received by and accruing to such corporations during the fiscal years commencing in the calendar years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOOD offered the following amendment:

Amend Title, page 2, third from last line of Title, by inserting after "by": "defining net income and fixing the rate of tax in the case of stock life insurance companies and".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 812, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 813, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 816, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-once (P. L. 694) entitled "An act imposing a tax on gross receips as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith by extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for additional form of appeal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 908, entitled:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this

Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 909, entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1021, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervison restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 1098, Printer's No. 393, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any foreign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint stock associations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF HOUSE BILL No. 1119

Mr. HARE. Mr. President, I move to reconsider the vote by which House Bill No. 1119, Printer's No. 512, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the prevailing side.

Mr. WOOD. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WOOD. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. WOOD. Mr. President, I desire to offer amendments to the bill.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and restettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain person corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendments:

Amend Section 2(f), page 4, line 11, by inserting after the word "the" and before the word "amount" the word "Greatest"; Amend Section 2(f), page 4, line 13, by inserting after the word "consolidating" the following: "Upon which bonus has been theretofore paid under prior laws or upon which the Excise Tax has theretofore been paid under the provisions of this act"

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendments:

Amend Section 3, page 6, line 16, by striking out the word "Therefore" and substituting in lieu thereof the word "Heretofore"; Amend Section 3, page 7, line 17, by striking out the word "Therefore" and substituting in lieu thereof the word "Theretofore"

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1302, Printer's No. 332,
House Bill No. 1336, Printer's No. 291,
House Bill No. 1350, Printer's No. 466,
House Bill No. 1420, Printer's No. 383,
House Bill No. 1421, Printer's No. 384,
House Bill No. 1424, Printer's No. 402, and
House Bill No. 1440, Printer's No. 424.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 321, entitled:

An Act providing that when a vacancy in any elective office of any political subdivision is filled by appointment the appointing authority shall give notice of the appointment to the county election board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 454, entitled:

An Act to amend Section 11.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing provisions relating to contribution payments and providing for certain repayments to contributors in case of withdrawal.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF MILK CONTROL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joab K. Mahood, Troy, Bradford County, for reappointment as

a member of the Milk Control Commission, to serve until May 1, 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate S. Gerald Darlington, Speedwell Forge, R. D. No. 2, Lititz, Lancaster County, for appointment as Justice of the Peace in and for the Township of Elizabeth, Lancaster County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth Pennsylvania,
Governor's Office, Harrisburg, July 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jos. A. McDonald, R. D. No. 2, Polk, Venango County, for appointment as Justice of the Peace in and for the Township of Victory, Venango County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John W. Hinebauch, 47 Stroh Avenue, Sunbury, Northumberland County, for appointment as Alderman in and for the Second Ward of the City of Sunbury, Northumberland County, until the first Monday of January 1954, vice Clyde M. Smith, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond G. Burk, North Washington, Butler County, for appointment as Justice of the Peace in and for the Township of Washington, Butler County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, SCOTLAND SCHOOL FOR VETERANS' CHILDREN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Ruth Miller Steese, 526 Chestnut Street, Mifflinburg, Union County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, KUTZTOWN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Bertolet, Esq., 1030 Terrace Avenue, Wyomissing, Berks County, for appointment as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January, 1957, and until his successor shall have been appointed and qualified, vice George W. Giles, Reading, whose term expired.

JOHN S. FINE.

MEMBERS OF LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lancaster County Board of Assistance.

A. H. Burkholder (Republican), Quarryville, Lancaster County, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Rev. George Shea, Quarryville, whose term expired.

Mrs. Maude Frantz Draper (Republican), 232 East Orange Street, Lancaster, Lancaster County, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice W. Douglas Darmstaetter, Lancaster, whose term expired.

Mrs. Carey Foltz (Democrat), 506 Wilson Drive, Lancaster, Lancaster County, to serve until December 31, 1954. (Reappointment)

Dr. V. W. Dippell (Republican), 520 President Avenue, Lancaster, Lancaster County, to serve until December 31, 1955. (Reappointment)

Mrs. Irene R. Weidman (Republican), 113 East Main Street, Ephrata, Lancaster County, to serve until December 31, 1954, and until her successor is duly appointed and qualified. (Reappointment)

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES, THADDEUS STEVENS TRADE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Thaddeus Stevens Trade School:

Hon. Chester M. Woolworth, 1 Jackson Drive, Lancaster, Lancaster County, until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified.

William E. Ix, 1043 Buchanan Avenue, Lancaster, Lancaster County, until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified.

Louis B. Bond, Christiana, Lancaster County, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

Clifford J. Backstrand, 1034 Woods Avenue, Lancaster, Lancaster County, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

B. W. Luttenberger, 123 Race Avenue, Lancaster, Lancaster County, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Millersville State Teachers' College, until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified:

Hon. Guy K. Bard, Route 2, Ephrata, Lancaster County.
George S. Mann, Millersville, Lancaster County.
Lewis Shoemaker, Kirkwood, Lancaster County.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, COALDALE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Kleckner, 229 Rowe Street, Tamaqua, Schuylkill County, for reappointment as a member of the Board of Trustees of Coaldale State Hospital, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

MEMBER OF STATE VETERANS' COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Perry A. Jones, Commander, Department of Pennsylvania, United Spanish War Veterans, 7008 Willard Street, Pittsburgh, Allegheny County, for appointment as a member of the State Veterans' Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, vice Frank A. French, Latrobe, resigned.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOLFE,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOLFE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Kephart,	Peelor,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany.	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Friday, July 10, 1953, at 9:00 o'clock A. M., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:31 o'clock p. m., Eastern Standard Time, until Friday, July 10, 1953, at 9:00 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, July 9, 1953

The House met at 9:00 a. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, Who to save us didst give Thine only-begotten Son, stir us with such love toward Thee that we may gladly share whatever Thou hast entrusted us of life and strength. Grant that we whom Thou hast called to so goodly a heritage in this State, may extend more abundantly to others what we so richly enjoy and in serving them may know the glory of serving Thee, through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, July 8, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, July 8, 1953, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. SCHWARTZ and ZEITZ.

HOUSE BILL No. 1572.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the use of loaded firearms in certain games and imposing penalties.

Referred to the Committee on Law and Order.

By Mr. MIKULA. HOUSE BILL No. 1573.

An Act to further amend the act aproved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled, as amended, "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by altering the requirements for licensure; increasing penalties for unlicensed barbering or teaching; regulating hours for barber schools; permitting further regulation by health authorities; and reenacting the provisions relating to health, sanitation and management of barber shops.

Referred to the Committe on Professional Licensure.

By Mr. McGEE. HOUSE BILL No. 1574.

An Act to further amend subsection B of Section 37 of the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled as amended "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their compensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by increasing the salaries of magistrates.

Referred to the Committee on Cities—Counties—First-Second and Second Class A.

By Messrs. KORNICK and BOWER.

HOUSE BILL No. 1575.

An Act to regulate the compensation of all members of any police force employed by a municipality or township.

Referred to the Committee on Municipal Corporations

By Mr. TOOMEY. HOUSE BILL No. 1576.

An Act to further amend subsection (b) of Section 2402 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the apointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further regulating working conditions and compensation of Capitol Police.

Referred to the Committee on State Government.

By Mr. AMARANDO. HOUSE BILL No. 1577.

An Act to amend Section 631 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making the possession of unlawful firecrackers a misdemeanor.

Referred to the Committee on Law and Order.

By Mr. FROST. HOUSE BILL No. 1578.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled, "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from constributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and

rights from taxation and judicial process; and providing penalties," by further defining "State employe" to include present employes of the Commonwealth while they were engaged between July 1, 1934 and November 15, 1946 in employment service functions in the Commonwealth financed by Federal funds, and while they were not covered by any other retirement or pension system, permitting such persons to pay into the Retirement Fund the amount of the contributions they would have paid during such period had they been members of the State Employes' Retirement System, and prescribing how the Commonwealth shall build up the necessary State annuity reserves.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 695.

An Act fixing the salary of jury commissioners in counties of the second class.

Referred to the Committee on Cities-Counties-First-Second and Second Class A.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. McCullough for Mr. LIGHT because of illness for the remainder of the week.

Mr. Lovett for Mr. MAXWELL for the remainder of the week.

Mr. Wheeler for Mr. COCHRANE for the remainder of the week.

Mr. Lovett for Mr. READINGER for the remainder of the week.

Mr. Kent for Mr. KLINE because of illness.

Mr. Kent for Mr. WATKINS because of illness.

Mr. Moscrip for Mr. METZ for the remainder of the week.

SPECIAL ORDER

The SPEAKER. The hour of 9:30 having arrived, the Chair lays before the House the Special Orders of Business fixed for this hour.

SPECIAL ORDERS POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that the Special Orders fixed for this time on House Bills 1140, 1240 and 1390 be postponed temporarily.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 117, entitled:

An Act to further amend Section 9 of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by specifying further reasons for the refusal cancellation revocation or suspension of licenses by the Board of Optometrical Education Examination and Licensure and providing for the making adopting and enforcing of rules by the State Board of Optometrical Examiners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 127, entitled:

An Act validating building and zoning ordinances and codes or amendments thereto of political subdivisions not filed in the office of the recorder of deeds when prescribed by law under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 288, entitled:

An Act designating certain offices as incompatible with elected offices in cities boroughs and townships of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 315, entitled:

An Act to further amend Subsection (a) of Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further limiting and regulating certain prosecutions for summary convictions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 394, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and devising amending and consolidating the law relating to

boroughs" by providing a method for the formation of a new borough out of a township of the first class or out of a part of a township of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 958, entitled:

An Act to add Subdivision (b.1) to Article XV of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing expanded audio-visual education programs and matching of State and district moneys for payment of the costs thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1056, entitled:

An Act to further amend Section 702 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by extending the liability of the Commonwealth of Pennsylvania for the costs of care of any patients convicted of crime undergoing sentence prior to the expiration of the term of such sentence.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1057, entitled:

An Act providing for the acquisition of land and for the construction and equipping of a new mental hospital in the Philadelphia area providing for the care maintenance and control of patients imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1065, entitled:

An Act to further amend Section 701 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by extending the liability of the Commonwealth of Pennsylvania in certain cases for costs of care of any patient from and after the date of a court order committing the patient to any institution or to any institution district or to the Department of Welfare of cities of the first class for placement in any institution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1073, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by providing for the certification of returns of tax claims by bureaus in seventh and eighth class counties to county treasurers for collection further regulating in counties of the seventh and eighth class the sale of certain properties turned over to the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of this act prohibiting bureaus in seventh and eighth class counties from leasing certain properties and authorizing such bureaus to execute deeds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1102, entitled:

An Act to amend Sections 1084 and 1086 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting the appointment of additional teachers and providing for their compensation and payment of traveling expenses for supervisors and teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certain deductions for the calendar year one thousand nine hundred fifty-three and thereafter and providing for disposition of taxes penalties fines and bail forfeitures collected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1132, entitled:

An Act to amend Section 405 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the powers and duties of local authorities as to children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1249, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assesment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by exempting certain investments from taxation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1269, entitled:

An Act to amend Section 1203 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for arrests on view by peace officers of any organized police department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1273, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for private school and institution service in certain instances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1312, entitled:

An Act to amend Section 1361 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for free transportation of resident pupils in order to provide tours.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1384, entitled:

An Act to amend the title and the act approved the twenty-fifth day of April one thousand nine hundred thirty-five (P. L. 82) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by changing the provisions thereof relating to annual vacations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1400, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions relating to medical and dental examinations of school children teachers and other employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1408, entitled:

An Act making resolutions of school districts which impose a tax valid notwithstanding failure to advertise intention to adopt such resolutions in a newspaper of general circulation within such school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1442, entitled:

An Act to further amend Section 4 of the act aproved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing that no fishing shall be permitted on Authority waters unless the privileges is available to all licensed fishers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1455, entitled:

An Act to further amend Clause (1) of Section 1101 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by adding the terms coordinators directors and public school psychologists to the definition of professional employee.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1483, entitled:

An Act authorizing acknowledgments and affidavits by persons on active duty with the armed forces of the United States before persons authorized by Act of Congress to act as notaries public and validating certain acknowledgments and affidavits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1489, entitled:

An Act to further amend subsection (a) of Section 823 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating official inspections of motor vehicles trailers and semi-trailers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1490, entitled:

An Act to amend Section 5 of the act approved the first day of February one thousand eight hundred sixty-six (P. L. 8) entitled "A supplement to an act entitled 'An act for the better management of the Allegheny county prison' approved the twenty-third day of March Anno Dimini one thousand eight hundred and sixty-five" by further regulating the transfer or removal of inmates from jails in Allegheny County and further providing for the transfer of mentally ill inmates to State Mental Hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1511, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1530, entitled:

An Act to further amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties of the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts" in the case of sales in a natural state of mined products.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1535, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the issuance of an operator's license.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1538, entitled:

An Act validating certain contracts entered into by Municipality Authorities for the construction of school projects without receiving separate bids and awarding separate contracts for heating and ventilating work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1539, entitled:

An Act to amend Subsections A and D of Section 10 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by authorizing Authorities to reject any or all bids on contracts validating the actions of Authorities and contracts heretofore awarded after the rejection of all the first set of bids and clarifying the effect of certain contracts heretofore or hereafter made by an Authority in violation of certain provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1568, entitled:

An Act to amend Section 5.1 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" by further providing for licensure of nonresident practitioners without further examination.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 40, entitled:

An Act to further amend Section 505 of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor; assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by increasing the compensation of assessors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act to further amend clause (4) of subsection A of section 1001 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorzed to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept the disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 59, entitled:

An Act to further amend Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain aged persons hereafter placed in county homes eligible for assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 61, entitled:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and associations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 62, entitled:

An Act to further amend subsection C of section 1210 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, share-holders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments and limitations on loans and discounts of savings banks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 64, entitled:

An Act to further amend section 1212 and to amend section 1214 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduci-

ary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing concerning the powers and limitations on powers of savings banks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act to reenact subsection A of section 1012 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the Licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporatons authorized to engage in a banking business with or without fiducary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provisions concerning the powers and limitations on powers of banks and bank and trust companies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; further prescribing the power of the retirement board to provide minimum retirement allowances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 468, entitled:

An Act to amend Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the area in which school directors may attend certain meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors,, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act to amend clause (2) of section 204 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the provisions relating to change of classification of school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan the contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts, and fixing the rights and duties of minors, the minors' parents or guardians, and the depository bank with respect thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to steal, or to purchase or receive for use as junk or scrap metal, any veteran's grave marker or emblem; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 116, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 170, entitled:

An Act to amend subsection (e) of Section 410 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting licensed importers to import purchase sell and store liquor and alcohol in the Commonwealth

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 656, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards

commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the establishment by the Department of Property and Supplies of standards for the design construction repair alteration equipment and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein repealing inconsistent legislation directing the Department of Property and Supplies to make a report to the next General Assembly and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 781, entitled:

An Act providing that publication of reports of judicial and legislative proceedings and of governmental bodies shall be privileged subject to certain conditions and extending the privileges to the publication of certain statements by public officials and requiring proof of abuse of the privilege in an action for defamation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 864, entitled:

An Act to amend Section 403 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by clarifying provisions relating to exemption from execution of certain property by landlord for non-payment of rent

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agaeebly to order,

The House proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commisions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1259, entitled:

An Act to add subsection (f) to Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for certain commitments by petition

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1290, entitled:

An Act to further amend section 706 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the state government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the state government and every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every state depository and every debtor or creditor of the Commonwealth" by clarifying the provisions thereof relating to the filing of bonus reports and the payment of bonus by foreign corporations limited partnerships and joint-stock associations and by providing for the filing of excise tax reports and the payment of such tax by foreign corporations limited partnerships and joint-stock asociations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1306, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising and consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing issuance of resident fishing licenses to certain residents who intend to become naturalized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1311, entitled:

An Act to further amend Section 731 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by permitting public inspection of distributors' monthly liquid fuels tax reports with certain exceptions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1321, entitled:

An Act to amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by transferring to the juvenile courts powers and duties relating to parolees of the Pennsylvania Training School at Morganza

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1322, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and depenedent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by transferring to the juvenile court powers and duties relating to parolees of the Pennsylvania Training School at Morganza

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1363, entitled:

An Act to amend sections one and three of the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarter sessions" by limiting jurisdiction over juveniles in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 1480, entitled:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person undergoing imprisonment to participate in any riot rout assembly or affray and fixing the penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1481, entitled:

An Act to add section seven hundred ten point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled

"An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person sentenced for any term of years to commit an assault by any means likely to produce great bodily injury and fixing the penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1482, entitled:

An Act to add section seven hundred ten point one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person sentenced to life imprisonment to commit an assault by any means likely to produce great bodily injury and fixing the penalty therefor at death

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1486, entitled:

An Act to further amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture sale possession consumption importation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by fixing the minimum prices of wines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1510, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 0.1959 acres more or less of land in the township of Limerick Montgomery County Pennsylvania with the approval of the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg Dauphin County Pennsylvania with the approval of the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 236, entitled:

An Act designating certain banking institutions as additional loan and transfer agents of the Commonwealth and conferring powers and imposing duties upon such institutions and certain State officers with respect thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 360, entitled:

An Act to further amend section two hundred forty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for additional complimentary fishing licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates fares and charges and supplements thereto filed with the Interstate Commerce Commission.

The first and second sections were separately read and agreed to.

The title was read

On the question,

Will the House agree to the title?

Mr. TOMPKINS offered the following amendment:

Beginning in line 1, strike out the words, "The Interstate Commerce Commission" and insert in lieu thereof the words "Any Federal Regulatory Commission."

It was agreed to.

The section was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres more or less situate in Skippack Township Montgomery County Pennsylvania with the approval of the Governor

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and the parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 669, entitled:

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or ay organized subdivision thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 670, entitled:

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 671, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizating the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice changing the title of certain boards of trustees and defining their duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 672, entitled:

An Act to repeal section six of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1044) entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary prison workhouse house of correction or any other institution for adult prisoners under sentence of law to some other prison penitentiary workhouse house of correction or other institution for adult prisoners" by eliminating transfers to the Central State Penitentiary at Rockview

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven, nine hundred twelve, nine hundred thirteen, nine hundred fourteen and nine hundred fifteen to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain powers of the Department of Welfare to the Department of Justice; and imposing certain duties upon the Department of Justice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions and repealing certain acts or parts of acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees abolishing certain penal institutions imposing duties upon the Commissioner of Correction of the Department of Justice and providing for the costs of transportation and maintenance of inmates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents creating in the Department of Justice correctional diagnostic and classification centers providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution fixing the responsibility for costs of transportation and maintenance of such persons prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto making civil and criminal laws applicable to penitentiaries and persons therein are responsible therefor applicable in the case of the said institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act approved the twenty-fourth day of March one thousand nine hundred twenty-one (P. L. 48) entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary and from the Western Penitentiary to the Eastern Penitentiary and their imprisonment in the penitentiary to which transferred imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted directing that certain notice of such transfer of a convict be given and making appropriations" by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 686, entitled:

An Act to further amend clause ten of section three hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Common-

wealth," by designating the Department of Justice for the Department of Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION TO ADDRESS HOUSE

Mr. GOODLING asked and obtained unanimous consent to adress the House.

Mr. Speaker, it seems to have become the custom of this House to attack the distinguished gentlemen who face us as we sit in our seats. I want to continue that procedure just briefly this morning.

Several weeks ago in a Rebublican caucus in speaking about the sa'es tax bill, and speaking for the organized farm organizations, I made this statement. I said it was the opinion of this group that if industrial machinery was to be exempt under the sales tax, farm machinery aso should be exempt. If, on the other hand, industrial machinery was to be taxed, we definitely wanted farm machinery to be taxed.

The bill as written definitely states that farm machinery is taxed. Apparent'y practically every newspaper in Pennsylvania this morning carries a statement saying that farm machinery is exempt under this bill. I again checked with the proper authorities this morning and they have again reassured me that farm machinery is taxed under the bill, and I trust the distinguished gentlemen of the Press will make that correction when they write their next article.

RESOLUTION

REPORT FROM COMMITTEE ON RULES

Mr. HELM offered a resolution, a report from the Committee on Rules, which was read as follows:

In the House of Representatives, Thursday, July 9, 1953.

Resolved, That Monday, July 13, 1953, be fixed as the last day for the introduction of bills in the House of Representatives during this Session, except bills raising revenue and making appropriations.

Signed by the Committee on Rules

ALBERT W. JOHNSON, CHAIRMAN
WILSON L. YEAKEL
W. STUART HELM
ADAM T. BOWER
ROBERT F. KENT
CHARLES C. SMITH, Ex-officio

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, I presume it is understood that bills on order, but not as yet written by the Reference Bureau, will be subject to introduction.

Mr. HELM. Mr. Speaker, that has been the custom in past Sessions and will be the procedure for this Session.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

REPORT FROM COMMITTEE ON RULES

Mr. HELM offered a resolution, a Report from the Committee on Rules, which was read, considered and adopted as follows:

In the House of Representatives, Thursday, July 9, 1953.

Resolved, That all bills reported from the committees of the House as committed, during the balance of this regular session be read for the first time when reported.

Signed by the Committee on Rules

ALBERT W. JOHNSON, Chairman
WILSON L. YEAKEL
W. STUART HELM
ADAM T. BOWER
ROBERT F. KENT
CHARLES C. SMITH, Ex-officio

RECESS

The SPEAKER. The Chair at this time without objection will declare a recess for one-half hour for the purpose of holding a Democratic Caucus and a Republican Caucus.

The Chair would request that the Members go promptly to their respective caucus rooms.

The Chair hears no objection, and a recess is declared for one-half hour.

RECESS

The SPEAKER. Due to the fact that the Republican Caucus is still in session, without objection the Chair will declare a recess until 2:00 o'clock EST. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KELLER asked and obtained permission for the Committee on State Government to meet during the session of the House.

PARLIAMENTARY INQUIRY

Mr. MORAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORAN. Mr. Speaker, we passed First Reading bills earlier today, and the bills were not on file. I do not know whether there was an agreement with anybody to do that or not, but certainly it is not the Rule of the House that bills should be passed when they are not on file. There are several bills not on file that are on the calendar, Senate Bills.

The SPEAKER. At the time the Chair took up the First Reading calendar the members were informed that the Chair was going to do so. The Chair was not informed that the bills were not on file and at that time no Member objected.

PERMISSION TO ADDRESS HOUSE

Mr. YOUNG asked and obtained unanimous consent to address the House.

Mr. Speaker, last Monday on the floor of the House in reply to an interrogation by the Minority Leader, I stated "you give me the money and I will give you the bill"—we were discussing House Bill 1165, commonly known as the FEPC bill.

I could weasel out of that agreement very nicely by say-

ing "You did not give us the money, we got it ourselves," but I made the statement and I shall fulfill my promise.

Accordingly I am advising the Members of the Labor Relations Committee that I will call a meeting next Monday for the consideration of House Bill 1165, the FEPC bill.

Mr. ANDREWS. Mr. Speaker, I rise to thank the gentleman for his frank and consistent attitude in this particular situation, and to express the wonder whether in getting the money he would at least credit us with an assist.

SPECIAL ORDER ON HOUSE BILL NO. 1140

Mr. JOHNSON. Mr. Speaker, I move that House Bill 1140, Printer's No. 470 be made a Special Order of Business on Third Reading and Final Passage immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the Special Order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1140, as follows:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That until the next decennial United States census and the apportionment be made thereon by law the House of Representatives shall consist of two hundred and ten members and shall be apportioned as follows namely

The City of Philadelphia shall elect thirty-nine members and the said City shall be divided into thirty-one districts as follows

The thirty-ninth ward shall constitute the first district and elect one member

The first and second wards shall constitute the second district and elect one member

The twenty-sixth and forty-eighth wards shall constitute the third district and elect two members

The thirty-sixth ward shall constitute the fourth district and elect one member

The third fourth fifth seventh eighth and thirtieth wards shall constitute the fifth district and elect two members

The sixth eleventh twelfth thirteenth fourteenth and sixteenth wards shall constitute the sixth district and elect one member

The ninth tenth and fifteenth wards shall constitute the seventh district and elect one member

The seventeenth and twentieth wards shall constitute the eighth district and elect one member

The eighteenth and nineteenth wards shall constitute the ninth district and elect one member

The twenty-ninth and forty-seventh wards shall constitute the tenth district and elect one member

The thirty-second ward shall constitute the eleventh district and elect one member

The twenty-eighth ward shall constitute the twelfth district and elect one member

The thirty-seventh and thirty-eighth wards shall constitute the thirteenth district and elect two members

The twenty-first ward shall constitute the fourteenth district and elect one member

The twenty-second ward shall constitute the fifteenth district and elect two members

The fiftieth ward shall constitute the sixteenth district and elect one member

The forty-ninth ward shall constitute the seventeenth district and elect one member

The forty-second ward shall constitute the eighteenth district and elect one member

The forty-third ward shall constitute the nineteenth district and elect one member

The thirty-third ward shall constitute the twentieth district and elect one member

The twenty-fifth thirty-first and forty-fifth wards shall constitute the twenty-first district and elect two members

The twenty-third ward shall constitute the twenty-second district and elect one member

The thirty-fifth ward shall constitute the twenty-third district and elect three members

The forty-first ward shall constitute the twenty-fourth district and elect one member

The twenty-fourth ward shall constitute the twenty-fifth district and elect one member

The forty-fourth ward shall constitute the twenty-sixth district and elect one member

The fifty-second ward shall constitute the twenty-seventh district and elect one member

The thirty-fourth ward shall constitute the twenty-eighth district and elect one member

The twenty-seventh and fifty-first wards shall constitute the twenty-ninth district and elect one member

The forty-sixth ward shall constitute the thirtieth district and elect two members

The fortieth ward shall constitute the thirty-first district and elect one member

The County of Adams shall elect one member

The County of Allegheny shall elect twenty-eight members and shall be divided into nineteen districts as follows

The first second third and twenty-second wards in the City of Pittsburgh shall constitute the first district and elect one member

The fourth and fifth wards in the City of Pittsburgh shall constitute the second district and elect one member

The seventh eighth and eleventh wards in the City of Pittsburgh shall constitute the third district and elect one member

The sixth ninth and tenth wards in the City of Pittsburgh shall constitute the fourth district and elect one member

The fifteenth and thirty-first wards in the City of Pittsburgh shall constitute the fifth district and elect one member

The twelfth and thirteenth wards in the City of Pittsburgh shall constitute the sixth district and elect one member

The fourteenth ward in the City of Pittsburgh shall constitute the seventh district and elect one member

The sixteenth and seventeenth wards in the City of Pittsburgh and the borough of Mount Oliver shall constitute the eighth district and elect one member

The eighteenth twenty-ninth and thirtieth wards in the City of Pittsburgh shall constitute the ninth district and elect one member

The nineteenth and thirty-second wards in the City of Pittsburgh shall constitute the tenth district and elect one member

The twentieth twenty-first and twenty-eighth wards in the City of Pittsburgh shall constitute the eleventh district and elect one member

The twenty-third twenty-fourth and twenty-fifth wards in the City of Pittsburgh shall constitute the twelfth district and elect one member

The twenty-sixth and twenty-seventh wards in the City of Pittsburgh shall constitute the thirteenth district and elect one member

The City of McKeesport and the borough of Eden Park shall constitute the fourteenth district and elect one member

The Cities of Clairton and Duquesne and the boroughs of Dravosburg West Elizabeth Pleasant Hills West Mifflin Whitaker Munhall Homestead and West Homestead and the townships of Jefferson Snowden and Forward shall constitute the fifteenth district and elect two members

The boroughs of Bethel Bridgeville Brentwood Carnegie Castle Shannon Coraopolis Crafton Dormont Green Tree Heidelberg Ingram McKees Rocks Oakdale Rosslyn Farms

Thornburg Whitehall and that portion of the borough of McDonald in Allegheny County and the townships of Baldwin Collier Crescent Findlay Kennedy Moon Mount Lebanon Neville North Fayette Robinson Scott South Fayette Stowe and Upper St Clair shall constitute the sixteenth district and elect four members

The boroughs of Braddock Hills Wilkinsburg Verona Oakmont Churchill Forest Hills Edgewood Swissvale Pitcairn Braddock North Braddock East Pittsburgh Chalfant Turtle Creek Rankin East McKeesport Versailles Liberty Port Vue Glassport Elizabeth White Oak Wilmerding Wall and that portion of the borough of Trafford in Allegheny County and the townships of Penn Plum Patton Wilkins North Versailles South Versailles Elizabeth and Lincoln shall constitute the seventeenth district and elect four members

The boroughs of Aspinwall Avalon Bellevue Ben Avon Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Osborne Sewickley Sewickley Heights Sharpsburg Springdale Tarentum and West View and the townships of Allepro East Deer Fawn Franklin Frazer Hampton Harmar Harrison Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Pine Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer shall constitute the eighteenth district and elect four members

The County of Armstrong shall elect two members

The County of Beaver shall elect three members and shall be divided into three districts as follows

The City of Beaver Falls and the boroughs of Darlington Eastvale Homewood Koppel New Brighton New Galilee Patterson Heights West Mayfield and that portion of the borough of Ellwood City lying within the County of Beaver and the townships of Big Beaver Chippewa Darlington Daugherty Franklin Marion North Sewickley Patterson Pulaski South Beaver and White shall constitute the first district and elect one member

The boroughs of Beaver Bridgewater East Rochester Fallston Frankfort Springs Freedom Georgetown Glasgow Hookstown Midland Monaca Rochester Shippingport and the townships of Borough Brighton Center Green Hanover Independence Industry New Sewickley Ohio Potter Raccoon and Rochester shall constitute the second district and elect one member

The residue of the County of Beaver not included in the first and second districts shall constitute the third district and elect one member

The County of Bedford shall elect one member

The County of Berks shall elect five members and shall be divided into four districts as follows

The City of Reading shall constitute the first district and elect two members

The boroughs of Birdsboro Mohnton Mount Penn Shillington West Reading Wyomissing Kenhorst St Lawrence and that portion of the borough of Adamstown lying within the County of Berks and the townships of Amity Brecknock Caernarvon Cumru Exeter Lower Alsace Robeson and Union shall constitute the second district and elect one member

The boroughs of Bernville Centerport Hamburg Lenhartsville Robesonia Shoemakersville Sinking Spring Strausstown Wernersville West Lawn West Leesport Womelsdorf and Wyomissing Hills and the townships of Albany Bern Bethel Centre Greenwich Heidelberg Jefferson Lower Heidelberg Marion North Heidelberg Ontelaunee Penn Perry South Heidelberg Spring Tilden Tulpehocken Upper Bern Upper Tulpehocken and Windsor shall constitute the third district and elect one member

The residue of the County of Berks not included in the first second or third districts shall constitute the fourth district and elect one member

The County of Blair shall elect three members and shall be divided into two districts as follows

The City of Altoona shall constitute the first district and elect one member

The residue of the County of Blair not included in the first district shall constitute the second district and elect two members

The County of Bradford shall elect one member

The County of Bucks shall elect three members and shall be divided into two districts as follows

The boroughs of Chalfont Doylestown Dublin Hulmeville Ivyland Langhorne Langhorne Manor Morrisville New Britain New Hope Newtown Penndel Perkasie Quakertown Richlandtown Riegelsville Sellersville Silverdale Trumbauersville Yardley and that portion of the borough of Telford lying within Bucks County and the townships of Bedminster Bridgeton Buckingham Doylestown Durham East Rockhill Haycock Hilltown Lower Makefield Middletown Milford New Britain Newtown Nockamixon Northampton Plumstead Richland Solebury Springfield Tinicum Upper Makefield Upper Southampton Warminster Warrington Warwick West Rockhill and Wrightstown shall constitute the first district and elect two members

The residue of the County of Bucks not included in the first district shall constitute the second district and elect one member

The County of Butler shall elect two members

The County of Cambria shall elect four members and shall be divided into two districts as follows

The City of Johnstown and the borough of Dale shall constitute the first district and elect one member

The residue of the County of Cambria not included in the first district shall constitute the second district and elect three members

The County of Cameron shall elect one member

The County of Carbon shall elect one member

The County of Centre shall elect on member .

The County of Chester shall elect three members and shall be divided into two districts as follows

The City of Coatesville the boroughs of Atglen Avondale Oxford Modena Parkesburg South Coatesville and West Grove and the townships of East Fallowfield East Nottingham Elk Franklin Highland London Britain London Grove Londonderry Lower Oxford New Garden New London Penn Upper Oxford West Fallowfield West Marlboro and West Nottingham shall constitute the first district and elect one member

The residue of the County of Chester not included in the first district shall constitute the second district and elect two members

The County of Clarion shall elect one member

The County of Clearfield shall elect two members and shall be divided into two districts as follows

The boroughs of Brisbin Chester Hill Clearfield Houtzdale Osceola Ramey and Wallaceton and the townships of Bigler Boggs Bradford Cooper Covington Decatur Girard Goshen Graham Gulich Jordan Karthaus Lawrence Morris and Woodward shall constitute the first district and elect one member

The residue of the County of Clearfield not included in the first district shall constitute the second district and elect one member

The County of Clinton shall elect one member

The County of Columbia shall elect one member

The County of Crawford shall elect two members

The County of Cumberland shall elect two members

The County of Dauphin shall elect four members and shall be divided into two districts as follows

The City of Harrisburg shall constitute the first district and shall elect two members

The residue of the County of Dauphin not included in the first district shall constitute the second district and elect two members

The County of Delaware shall elect seven members and shall be divided into three districts as follows

The City of Chester shall constitute the first district and elect one member

The boroughs of Clifton Heights East Lansdowne Lansdowne Millbourne and Yeadon and the township of Upper Darby shall constitute the second district and elect two members

The residue of the County of Delaware not included

in the first and second districts shall constitute the third district and elect four members

The County of Elk shall elect one member

The County of Erie shall elect four members and shall be divided into three districts as follows

The third fourth and sixth wards of the City of Erie shall constitute the first district and elect one member

The first second and fifth wards of the City of Erie shall constitute the second district and elect one member

The residue of the County of Erie not included in the first or second districts shall constitute the third district and elect two members

The County of Fayette shall elect four members and shall be divided into two districts as follows

The boroughs of Belle Vernon Brownsville Fairchance Fayette City Masontown Point Marion Smithfield and the townships of Brownsville Georges German Jefferson Luzerne Menallen Nicholson Redstone South Union Springhill and Washington shall constitute the first district and elect two members

The residue of the County of Fayette not included in the first district shall constitute the second district and elect two members

The County of Forest shall elect one member

The County of Franklin shall elect one member

The County of Fulton shall elect one member

The County of Greene shall elect one member

The County of Huntingdon shall elect one member

The County of Indiana shall elect one member

The County of Jefferson shall elect one member

The County of Juniata shall elect one member

The County of Lackawanna shall elect five members and shall be divided into five districts as follows

The sixth eighth ninth tenth eleventh twelfth sixteenth seventeenth eighteenth nineteenth twentieth twenty-second and twenty-fourth wards of the City of Scranton shall constitute the first district and elect one member

The first second third fourth fifth seventh thirteenth fourteenth fifteenth twenty-first and twenty-third wards of the City of Scranton shall constitute the second district and elect one member

The boroughs of Dickson City Dunmore Olyphant and Throop shall constitute the third district and elect one member

The City of Carbondale the boroughs of Archbald Blakely Jermyn Mayfield Winton and Vandling and the townships of Carbondale and Fell shall constitute the fourth district and elect one member

The residue of the County of Lackawanna not included in the first second third or fourth districts shall constitute the fifth district and elect one member

The County of Lancaster shall elect four members and shall be divided into two districts as follows

The City of Lancaster shall constitute the first district and elect one member

The residue of the County of Lancaster not included in the first district shall constitute the second district and elect three members

The County of Lawrence shall elect two members and shall be divided into two districts as follows

The City of New Castle shall constitute the first district and elect one member

The residue of the County of Lawrence not included in the first district shall constitute the second district and elect one memebr

The County of Lebanon shall elect two members

The County of Lehigh shall elect four members and shall be divided into two districts as follows

The City of Allentown shall constitute the first district and elect two members

The residue of the County of Lehigh not included in the first district shall constitute the second district and elect two members

The County of Luzerne shall elect seven members and shall be divided into seven districts as follows

The City of Hazleton the boroughs of Freeland Jeddo and West Hazleton and the townships of Hazle and Foster shall constitute the first district and elect one member

The boroughs of Ashley Conyngham Laurel Run Nescopeck Nuangola Sugar Notch Warrior Run and White Haven and the townships of Bear Creek Black Creek Buck Butler Dennison Dorrance Fairview Hanover Hollenback Nescopeck Rice Sugarloaf Wilkes-Barre and Wright shall constitute the second district and elect one member

The City of Pittston the boroughs of Avoca Duryea Dupont Hughestown Laflin and Yatesville and the townships of Jenkins Pittston and Plains shall constitute the third district and elect one member

The City of Nanticoke and the boroughs of New Columbus Shickshinny and the townships of Conyngham Fairmount Huntingdon Hunlock Lake Lehman Newport Ross Salem Slocum and Union shall constitute the fourth district and elect one member

The boroughs of Edwardsville Kingston Larksville Plymouth and the township of Plymouth shall constitute the fifth district and elect one member

The residue of the County of Luzerne not included in the first second third fourth fifth and seventh districts shall constitute the sixth district and elect one member

The City of Wilkes-Barre shall constitute the seventh district and elect one member

The County of Lycoming shall elect two members and shall be divided into two districts as follows

The City of Williamsport and the township of Loyalsock shall constitute the first district and elect one member

The residue of the County of Lycoming not included in the first district shall constitute the second district and elect one member

The County of McKean shall elect one member

The County of Mercer shall elect two members and shall be divided into two districts as follows

The City of Sharon the boroughs of Greenville Jamestown New Lebanon Sandy Lake Sharpsville and Sheakleyville and the townships of Deer Creek French Creek Greene Hempfield Mill Creek New Vernon Otter Creek Perry Salem Sandy Creey Sandy Lake South Pymatuning Sugar Grove West Salem and that northwestern portion of the township of Hickory which is separated from the remainder thereof by the borough of Sharpsville and the City of Sharon shall constitute the first district and elect one member

The residue of the County of Mercer not included in the first district shall constitute the second district and elect one member

The County of Mifflin shall elect one member .

The County of Monroe shall elect one member

The County of Montgomery shall elect six members and shall be divided into three districts as follows

The borough of Narberth and the township of Lower Merion shall constitute the first district and elect one member

The boroughs of Conshohocken and Norristown and the townships of East Norriton Plymouth and West Norriton shall constitute the second district and elect one member

The residue of the County of Montgomery not included in the first and second districts shall constitute the third district and elect four members

The County of Montour shall elect one member

The County of Northampton shall elect four members and shall be divided into two districts as follows

That portion of the City of Bethlehem in the County of Northampton shall constitute the first district and elect one member

The residue of the County of Northampton not included in the first district shall constitute the second district and elect three members

The County of Northumberland shall elect two members and shall be divided into two districts as follows

The City of Shamokin the boroughs of Kulpmont Marion Heights and Mount Carmel and the townships of Coal East Cameron Mount Carmel West Cameron and Zerbe shall constitute the first district and elect one member

The residue of the County of Northumberland not in-

cluded in the first district shall constitute the second district and elect one member

The County of Perry shall elect one member

The County of Pike shall elect one member

The County of Potter shall elect one member

The County of Schuylkill shall elect four members and shall be divided into two districts as follows

The boroughs of Ashland Coaldale Deer Lake Frackville Gilberton Girardville Gordon Mahanoy City McAdoo New Ringgold Port Clinton Ringtown Shenandoah Tamaqua and the townships of Butler Delano East Union East Brunswick Kline Mahanoy North Union Rahn Rush Ryan Schuylkill Union Walker West Brunswick West Mahanoy and West Penn shall constitute the first district and elect two members

The city of Pottsville and the boroughs of Auburn Cressona Landingville Mechanicsville Middleport Minersville Mount Carbon New Philadelphia Orwigsburg Palo Alto Port Carbon Pine Grove Saint Clair Schuylkill Haven Tower City Tremont and the townships of Barry Blythe Branch Cass East Norwegian Eldred Foster Frailey Hegins Hubley New Castle North Manheim Norwegian Pinegrove Porter Reilly South Manheim Tremont Upper Mahantogo Washington and Wayne shall constitute the second district and elect two members

The County of Snyder shall elect one member

The County of Somerset shall elect two members

The County of Sullivan shall elect one member

The County of Susquehanna shall elect one member

The County of Tioga shall elect one member

The County of Union shall elect one member

The County of Venango shall elect one member

The County of Warren shall elect one member

The County of Washington shall elect four members and shall be divided into two districts as follows

The City of Washington and the boroughs of Burgettstown Canonsburg Claysville East Washington Houston Midway West Alexander West Middletown and that portion of the borough of McDonald in the County of Washington and the townships of Blaine Buffalo Canton Cecil Chartiers Cross Creek Donegal East Finley Hanover Hopewell Independence Jefferson Morris Mount Pleasant North Franklin Robinson Smith South Franklin South Strabane and West Finley shall constitute the first district and elect two members

The residue of the County of Washington not included in the first district shall constitute the second district and elect two members

The County of Wayne shall elect one member

The County of Westmoreland shall elect five members and shall be divided into three districts as follows

The boroughs of Bolivar Derry Latrobe Ligonier Livermore New Alexandria New Florence Seward and Youngstown and the townships of Derry Fairfield Ligonier St Clair and Unity shall constitute the first district and elect one member

The Cities of Arnold Jeannette and New Kensington the boroughs of Avonmore East Vandergrift Export Hyde Park Irwin Manor New Salem North Irwin Oklahoma Penn Vandergrift West Leechburg and that portion of the borough of Trafford in the County of Westmoreland and the townships of Allegheny Bell Franklin Lower Burrell Loyalhanna North Huntingdon Penn Salem Upper Burrell and Washington shall constitute the second district and elect two members

The residue of the County of Westmoreland not included in the first and second districts shall constitute the third district and elect two members

The County of Wyoming shall elect one member

The County of York shall elect four members and shall be divided into four districts as follows

The City of York shall constitute the first district and elect one member

The boroughs of Dillsburg Dover Franklintown Goldsboro Hallam Lewisberry Manchester Mount Wolf North York Wellsville Wrightsville and York Haven and the townships of Carroll Conewago Dover East Manchester Fairview Franklin Hellam Manchester Monaghan Newberry Springettsbury Warrington and Washington shall constitute the second district and elect one member

The boroughs of Cross Roads Dallastown Delta East Prospect Fawn Grove Felton Jacobus Loganville Red Lion Seven Valleys Stewartstown Windsor Wintertown Yorkhana and Yoe and the townships of Chanceford East Hopewell Fawn Lower Chanceford Lower Windsor Hopewell North Hopewell Peach Bottom Springfield Spring Garden Windsor and York shall constitute the third district and elect one member

The residue of the County of York not included in the first second or third districts shall constitute the fourth district and elect one member

Section 2 The foregoing apportionment is based on the United States decennial census of one thousand nine hundred and fifty Any township borough city or ward created since such census and not specifically provided for by this act shall form a part of the district to which the territotry comprised within such township borough city or ward is allotted by the provisions of this act according to the political division existing at the time of such census and any township borough city or ward or any portion thereof annexed to any other township borough city or ward since such census shall form a part of the district to which the territory comprised within such township borough city or ward or portion thereof is allotted by the provisions of this act according to the political division existing at the time of such census

Section 3 The first election under this act shall be held at the general election in the year one thousand nine hundred and fifty-four

The Members of the House of Representatives now in office shall continue in such office until the expiration of their respective terms

Section 4 The act approved the tenth day of May one thousand nine hundred and twenty-one (P. L. 455) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" and its amendments and the act approved the thirtieth day of June one thousand nine hundred and thirty-seven (P. L. 2443) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constituion" are hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. AUKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 11, line 2, by striking out "one member" and inserting in lieu thereof "two members".

Amend Sec. 1, page 11, line 4, by striking out "two members" and inserting in lieu thereof "one member."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. AUKER. Mr. Speaker, I would like briefly for the information of the Members of the House to explain this amendment.

The amendment merely gives two Members in the City of Altoona, and one to the rest of the county at large. That makes the two districts in Blair County.

My reasons for presenting the amendments are these,

which I trust the Members throughout this House will find just and equitable and vote accordingly.

According to the 1950 census, which is the Federal census on which reapportionment is based, and according to the unit, they can have by the Constitution of Pennsylvania 52,400 per assembly district. Blair County at large including the City of Altoona, has 139,514. Altoona City exclusive of Blair County had 77,177. That means the population in Blair County outside of the City limits of Altoona is 62,337.

On the basis of the unit on which reapportionment is based of 52,400, this makes a hangover in the county over the basic unit of 52,400 of 9,937. In the City of Altoona, considering the same basic unit and considering the population of the City of Altoona, it makes a hangover over the basic unit of 24,777. In other words 15,000 more of a hangover than is in the rest of the County.

Yet in the bill as it stands now, without it being amended, the rest of Blair County outside of the City of Altoona, gets two Members and the City of Altoona only gets one Member.

I could, Mr. Speaker,—and I talked to numerous lawyers beside myself about it—very seriously raise the question of constitutionality on this bill, on this particular section as it stands now.

However, I am not going to do that. I am simply going to appeal to the fairness, justice, and the reasonableness of the Members of this House, as to whether they consider that method of reapportionment fair or not. And to ask you to vote for this amendment, so that the reapportionment in Blair County will be really equitable according to the figures as I have cited them.

Mr. GEORGE E. JONES. Mr. Speaker, I oppose this amendment for different reasons. Altoona City a few years ago had just one Representative and later they took in a lot of territory around the outside of Altoona and the district remained the same.

As it is now Altoona really has three Representatives and of course part of that district is in our district. I oppose this simply because I think, it is maybe a little personal matter, we have something to go on.

It will not be very long until Altoona is going to be just a suburb of Hollidaysburg, by the way, and you know Hollidaysburg, we are very proud of. There is not another post office or town in the whole United States by that name, and we are proud of it. Mr. Erb and I are both from Hollidaysburg, and I know we will both oppose it. We would like everybody else to oppose this amendment.

Mr. WEIDNER. Mr. Speaker, you have heard from Mr. Auker the description of the present districts as they have been laid out in Blair County at the present time. That is, that the City of Altoona is number one district with one Representative, and the rural area number two with two Representatives.

At the present time in district two, in addition to boroughs and townships, there are also several wards from the city connected with that district and represented by these rural Representatives.

As you know, reapportionment of legislative districts has not been accomplished since 1921, and many annexations to cities and boroughs likewise have been made, causing many of the present Members to be in the same position as that of the rural Members of Blair County.

In setting up House Bill 1140, wards and rural districts that are to be included, it leaves the City of Altoona with a higher population than the rural districts at present.

However, since the population in the City of Altoona is decreasing continuously and the rural area has increased and is considerably increased, ever since the 1950 census, it was deemed advisable, and it is not unconstitutional to let the districts as the bill provides at the present time.

I, therefore, ask all the Members of this House to vote down this amendment that have been presented by Mr. Auker.

Mr. AUKER. Mr. Chairman, it is rather embarrassing, for me to get into a conflict with my fellow Members from Blair County. As a matter of fact, I and one other Member slept in the same room last night, and we were glad enough to get that after things turned out the way they did. I want to assure the Members of the House and my two colleagues especially, that whatever happens to these amendments, I shall bear personally no ill feelings whatsoever, and my feelings toward everybody will be just the same as they are now.

As to the growth of Altoona City and as to the growth of Blair County, again we must go back to figures and, of course, there is the old adage that "figures won't lie, but liars will figure"; but in the case of the 1950 Federal census and as of any Federal census, I think we can take it as a matter of fact and as a basic truth that figures do not lie in this case, and liars have not figured in this particular instance.

In 1940 the population of Blair County was 140,358 and the population of Altoona was 80,214, a difference of 60,144. Over a period of ten years from 1940 to 1950, there was a gain in the County over the City of 2,193 or an average per year of 219 people. If you carry out that formula, certainly in the next ten years the rest of Blair County will not even begin to gain equality in population with the city of Altoona. Certainly in this tremendous increase in population in the county over the city has taken place at all, it has taken place since World War II started and up until 1950. I believe we can assume with some reasonableness that the apex of population growth in the area such as the central part of Pennsylvania has possibly been reached.

Therefore, I say to you that the arguments of the gentleman from Blair, Mr. Jones, and the arguments of the gentleman from Berks, Mr. Weidner, do not hold water, and that these figures that I have previously cited to you do hold water. I sincerely ask you, on the basis of the argument that I previously made, and on the basis of the rebuttal that I am making here as to why they have let the reapportionment down in Blair County remain as it is, should not prevail, and these amendments that I have offered should prevail. Again I honestly and sincerely ask the Members of this House to vote the way they feel, constitutionally, in equity and fairness on the basis of these 1950 figures.

Mr. ANDREWS. Mr. Speaker, having heard the issue presented as far as the minority is concerned I presume it will vote its individual convictions, upon the merits

of the case, as that case has been presented by the protagonists.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. AUKER and Mr. LEISEY and were as follows:

YEAS 23

Andrews,	Kerlin,	Poltenstein,	Wescott,
Auker,	Kolankiewicz,	Rovansek,	White,
Boies,	Lopresti,	Schwartz,	Williams,
Breth,	Lovett,	Seyler,	Yetzer,
Floyd,	Polaski,	Shoemaker,	Zeitz,
Hocker,	Polen,	Stimmel,	

NAYS 158

Adam,	Geer,	Mathews,	Schmidt,
Alexander,	Gibson,	McCann,	Schuster,
Amarando,	Gleason,	McCormack,	Scott,
Ashton,	Glick,	McDermit,	Smith, W. B.,
Banker,	Goodling,	McGee,	Snider,
Barkdoll,	Gramlich,	McInroy,	Spencer,
Bazin,	Gutendorf,	McWherter,	Stank,
Bear,	Guthrie,	Mihm,	Stevenson,
Blair,	Hamilton, R. K.,	Mikula,	Stone,
Bolton,	Hamilton, W. H.,	Miller,	Sucher,
Bomberger,	Harris,	Mills,	Taylor,
Boory,	Helm,	Monroe,	Thomas,
Bower,	Hersch,	Moody,	Thompson,
Breisch,	Hewitt,	Moore,	Toll,
Brown,	Hoggard,	Moran,	Tompkins,
Bucchin,	Ide,	Moscrip,	Toomey,
Buchanan,	Jenkins,	Muldowney,	VanSant,
Bullen,	Jim,	Munley,	Varallo,
Capano,	Johnson,	Murray, P. G.,	Varner,
Cioffi,	Jones, Geo. E.,	Naugle,	Vaughan,
Clapper,	Jones, Gran'le E.	Needham,	Verona,
Comer,	Jones, Paul F.,	Ogilvie,	Wall,
Cooper,	Jones, T. H. W.,	Olsen,	Wallace,
Coyle,	Jump,	Parlante,	Walsh
Curwood,	Kamyk,	Peifly,	Wargo,
Davis,	Keller,	Peta,	Waterhouse,
Dougherty,	Kent,	Petrosky,	Weidner,
Down,	Kohl,	Pettigrew,	Welsh,
Downey,	Kratz,	Pfaff,	Whalley,
DuBois,	Kromer,	Phillips,	Wheeler,
Dunn,	Kubacki,	Price,	Whitenight,
Erb,	Lafore,	Quisenberry,	Willaredt,
Ewing,	Lederer,	Ragot,	Wilt,
Farabaugh,	Leisey,	Reagan,	Wood,
Fenrich,	Leonard,	Reidenbach,	Yeakel,
Ferster,	Leven,	Richter,	Young,
Filo,	Limper,	Rosen,	Ziegler,
Fleischman,	Lutty,	Royer,	Smith, C. C., Speaker
Flynn,	Maguire,	Rubin,	
Frost,	Mahan,	Sarraf,	

NOT VOTING—26

Baumunk,	Greenwood,	Light,	Musto,
Cianfrani,	Guss,	Lippincott,	Readinger,
Cochran,	Hall,	Markley,	Shotwell,
Connelly,	Haudenshield,	Maxwell,	Stoner,
Conner,	Kline,	McCullough,	Strausser,
Flack,	Kornick,	Metz,	Watkins,
		Murray, J. J.,	Worley,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, for many years there has been a need for a purely objective approach to the problem of legislative reapportionment. The experience of the years showed us the manifest defactions of the purely political approach to this very important problem.

Early in the session it was my opportunity to introduce a resolution, still in the custody of the Rules Committee, which would have established a non-partisan committee or commission which would have been directed to report for the consideration of this General Assembly a reapportionment plan.

We suggested in that resolution that someone representing the department of political science of the University of Pittsburgh, the University of Pennsylvania, Pennsylvania State College, Temple University, the State President of the League of Women Voters, the President of the Pennsylvania Bar Association, two Members of the Senate to be appointed by the President pro Tempore of the Senate, one member from each of the major political parties, and two Members of this House to be appointed by the Speaker of this House, one member from each political group.

It was our thought that such a commission would be able to prepare for our consideration a reapportionment in which the equities of each situation would be measured without any reference to the personal equation. In its wisdom, or its discretion, it pleased the Rules Committee not to report that resolution, with the result that we have before us a reapportionmen bill that comes through the usual channels and shot with the usual defects of reapportionment that comes through those channels.

It is my conviction that no Democratic political group, purely Democratic in its political affiliations would form a fair reapportionment plan, and it is also my conviction that no purely Republican group is very likely to present a reapportionment plan purely objective in its outlines.

There has been a need for Legislative reapportionment. For what reason? To cure existing inequalities. But you do not cure existing equalities by perpetuating and creating new ones.

After having given mature consideration to this bill, I find that in many instances I can commend the work of the committee, but when I look in other directions I find evidences of gross inequalities and injustices which it is proposed to write into our existing political situation for the next ten years, perhaps for the next twenty years. And because of the inequalities which the pending measure carries I find it impossible to support this bill, and I believe the Members of the minority group find it impossible not because of their own particular situations, but because in some instances members of the minority group have been benefited politically by this bill. But if the benefits strike unjustly at some other group it is not going to lead us in the right direction.

So I am regretfully, on the basis of what I believe is the long range need of this Commonwealth, requesting the Members of the House to defeat this bill and maintain their position until we have a better bill presented for our consideration.

Mr. WEIDNER. Mr. Speaker, I think all of you Members realize and know the fact that House Bill 1140 was referred to the Elections and Apportionment Committee on April 15th. On May 27th this Committee had a meeting and reported this bill out with quite a number of amendments to it.

Several of these amendments were correctional amendments and the other amendments were concessions made to the minority party.

Up to the present time I think you will agree that there

has been sufficient time for anyone to bring in requests or complaints, whatever they may have been, to this Committee in the form of amendments that could change whatever plans they had in mind.

Yes, I can truthfully tell you that I had many requests by word to change possibly a township or a borough from one district to another without its being in printed form.

As I told you this bill has been on the calendar for a number of weeks. I think you will also agree that a few weeks ago at the request from one of the members of a group of the minority side, that a compromise should be made. I think you also realize that this compromise was permitted on this side of the House.

Immediately after the Session ended on that day I approached the leader of that group and asked him for his plan. I did not receive a plan from that particular leader until a few days ago, and in the plan he submitted, he left out three wards and a borough, which automatically would have been unconstitutional in this bill.

I also remind you of this fact that an agreement had been made between majority and minority parties, that any request coming from the minority side should be cleared through a representative from your state organization.

I am sorry to say that very few requests went to that particular person. Several conferences were held with this representative, and I can truthfully tell you that those requests as far as I am concerned, were practically all cleared up.

As you may recall, some of these requests were cleared up just this past Tuesday when the bill was called up on second reading, and I personally presented several amendments to this bill. Those amendments were added to House Bill 1140 which you have on your desk at the present time. This was agreed upon both by myself and this particular representative with whom I had this conference.

What other little differences there were, were very mild, I can assure you of that. And if any other requests were to be made through this source, they were not presented to this representative.

I want to say to you right now, due to the fact that this bill has been on this calendar for these many weeks, I feel that it was very unfair on the part of the minority to me, and to the members of this Committee, and especially the sponsors of this bill, who were responsible for drawing up this bill.

I say this because of the fact that you have not presented your requests or your arguments in writing to any of the members who were the sponsors of this bill.

I think at some time or other every Member in this House has worked on a jig-saw puzzle. There you simply had to take every little piece and tie it into the proper place. I want to assure every one of you Members of this House that in preparing a piece of legislation of this kind, it is one of the greatest jig-saw puzzles I have ever approached in trying to make a job of which I feel proud in House Bill 1140.

Many factors had to be considered in drawing up this bill from the constitutional standpoint. First of all let me assure you that several counties gained considerable population since the last reapportionment bill was established, while other counties decreased in population. When I started preparing this bill I had to apply and take all my figures from the 1950 census.

I found in screening the sixty-seven counties of this state we had thirty-three counties that are entitled to one Representative, and no more by reason of not having a greater population than the ratio allowed them as figured through this 1950 census.

I found that counties with more than one there was no change. Counties to lose one or more, there were eight, and counties to gain one or more, there were nine. Establishing the ratio as compiled with by the Constitution, we find that the ratio for each Member consists of 52,490.

There were other factors we had to consider in this measure. We found that counties with less than five Members could receive that additional fifth Member with more than a full half of a ratio. We also found that counties that has five Members and had more than half were not entitled because all counties with a membership of five or more Members would have to have a full ratio in order to gain that one Member.

I am just pointing out a few things to show you what kind of a job this has been, how much time had to be consumed in order to bring out this bill in such shape that it would meet the provisions as provided in our Constitution.

I think most of you Members can appreciate what it means to put together, as I have said, this big jig-saw puzzle. It had been suggested, as has been called to our attention before, about another group, outside, together with possible Members of this House and Members of the Senate to establish a bill of this kind.

In the very beginning of this particular job to which I was assigned, we agreed that it was the duty of this House to establish their own bill with legislation for the establishment of reapportioning legislative districts. It was the job of the Senate to reestablish the districts within their body. Se we started and worked from that angle.

I can assure you when I learned of all these factors that were involved, all these matters that had to be considered, in order to try to keep everything within the Constitution, an ordinary layman would not be in a position to tackle a job of this kind.

I am willing to believe that if a job of that kind would be established by the layman, it would remind me about what happened in our industries not too many years ago, when they called in outside men to become efficiency men to try to produce better results within the industry—and I do not have to tell you what the results were.

Again let me remind you of this fact. Some of the Members came to me and pointed out what they thought were inequities or irregularities as this bill is set up for the various individual counties.

When you approach the present setup, as some of these districts are established at the present time, you will find from one extreme to the other where one Member may represent as many as 150,000 in one district, while in the same county another Member may represent as few as or less than 10,000.

You may also find many districts, where two Members may represent approximately less than 60,000 in that district or a ratio of 30,000 per Member.

In other instances you may find, with counties that are divided up geographically in such a manner that

possibly the few Members may be living within a small radius from its other end, the balance of the county had no true representation throughout that area. Something is bound to happen to the Members of this House, when you find these irregularities and equalities existing as they are today.

I tried to hold to three specific things. I want to assure the membership in this House, both minority and majority, that personalities did not enter into the discussion at any time while preparing this bill.

First of all, I tried to hold these districts to come as near to the ratio as possible. I tried to draw up this bill from a geographical standpoint, that it would make it more convenient to Members so that they need not cover too many territories in trying to represent their people in the proper manner.

More serious than anything else I tried to prepare this bill in such a manner that it would be constitutional when it reached the Governor's desk.

Finally let me say this again. I feel that I have been fair in every respect. I feel that I have been fair to the representative you had chosen to meet with me in trying to iron out these difficulties.

I again want to say that I believe in most all instances those difficulties and those things that were to be ironed out were met in most cases by mutual agreement.

I want to remind the Members of this House, both minority and majority, last year you made a promise to the citizens of your community, the districts you represent, you made a promise to the people of the Commonwealth that you would support and work for the passage of a legislative reapportionment bill. What is going to be your answer, if you cast your negative vote on this bill, when you get back home and tell the people that you did not support it.

I feel this is a fair bill to both minority and majority. I feel you will have many questions to answer if you cast your vote on the negative side.

Again let me say I have tried to do my best to wipe out the inequalities that exist in such a manner that it is going to be in the best interests of the people of every district in this Commonwealth and the Members who represent it.

Sincerely and seriously I want to ask every Member of this House to support House Bill 1140.

Mr. VAUGHAN. Mr. Speaker, my good friend from Pittsburgh, John Jones of the Pittsburgh Post-Gazette, had in his column today a statement made by the Minority Leader of the party from Allegheny County, Doctor Sarraf.

In this statement Mr. Jones writes,

> Representative George J. Sarraf, Pittsburgh Chairman of the Allegheny County Democratic Delegation, which has ceased saving amendments to offer, declared that the House leadership will not agree to anything. They want to jam through their bill, or nothing.

After reading this, I felt that I had to get up and answer that statement. I want the Members of this House to know that when this bill was introduced into the hopper, John Haudenshield was put in charge of the bill for Allegheny County to check and see that everything was O.K. Mr. Haudenshield at that time was ill and turned the assignment over to me, which I took back to a caucus of the Members of this House from Allegheny County and the Senate, and our county chairman.

We went over the bill and discussed the bill thoroughly. The bill looked O.K. to us, and we O.K.'d it. Then I called Doctor Sarraf and talked to him on the floor.

I said, "Doctor, I would like to get together with you on this bill?"

He said, "O.K."

I said, "When?"

He said, "I will see you."

Well, that went on for a time. The Doctor never showed up. I kept bothering him about it, and he still never showed up.

Finally, we were invited to discuss the bill on the radio with the League of Women Voters of Allegheny County. We discussed the bill, and during the discussion of the bill, we were asked questions pro and con on this particular bill, and especially about the city of Pittsburgh.

The wind-up was that at the end of our session on the radio, a lady—I forget the lady's name who was asking the questions—asked Doctor Sarraf what he thought of the bill.

Doctor Sarraf said it was a good bill, but he said, I want you to know, Mrs. "whatever her name was," that I am a statesman, not a politician, and I shall vote against this particular bill.

I got it reversed, but you know what I mean.

He said, "If I were a statesman, I would vote for it, but being a politician I have to vote against it."

However, in the meantime, Senator Barr came over to Mr. Weidner and mentioned that a certain part of the bill was bad pertaining to the county, and Mr. Weidner asked me about it. It was, I believe, the 10th District that the bill cut up into two portions. In other words, the four Members were to run in two sections, two to be elected from each. I told Mr. Weidner at the time that I thought if four can be elected from Ross Township, four from Mount Lebanon, why shouldn't there be four from the Wilkensburg area? We agreed to have that amended to read four from that district, which was done immediately.

To get on with this story about jamming the bill down their throats, finally the Doctor showed up the night before last with a program. No, it was a little ahead of that. He gave me a program about a week ago. After I looked the program over I called him and I said, "Why, Doctor, you are missing a few things here."

He said, "What is it?"

I said, "Well, what do we do with the 29th ward, the 30th ward, the 31st ward, the 32nd ward, Mount Oliver?"

He said, "Well, do not worry about it, kid, we will put it some place."

Well, the night before last—in all seriousness—the Doctor did come up with a program, that is the day Mr. Weidner offered the correctional amendments to the 10th district, and so on, and he came up with a program and asked—that was when permission was given on the floor to offer amendments on third reading and final pasage.

That afternoon we got together with a representative from the State Committee, Miss Blatt, and we sat in there and tried to straighten the thing out and found out that everybody was going to be fixed up but the Doctor, and what about him?

We have been figuring last night, and up to 2:00 a.m. this morning, Garret Richter set up trying to figure it out with him. I tried to figure it out, in fact, I came up

with a bill as late as 11:00 a.m. today which one of the Members has over there now, that is, amendments, and so on.

The main thing I want to bring out is this, that the Doctor admitted to me, and he admitted to the radio audience and the League of Women Voters, that this bill, House Bill 1140, if it were voted on in the last election, the Democrats would have the same number of Democrats down here from Pittsburgh, and we would have the same number of Republicans from Pittsburgh.

Mr. SARRAF. Mr. Speaker, I am going to make this extremely brief.

Everything that Mr. Vaughan has said has been correct, especially the last item wherein he states the number of Demorcrats who would return to the House would be identical, the only difference would be that Doctor Sarraf may not come back, and Mr. Mihm may not come back, and Mr. Olsen may not come back, so that you would have Democrats, probably by the name of Vaughan —I mean Snyder, Jones, or others.

So thanks very much for all you did for me.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—97

Ashton,	Geer,	Lippincott,	Stimmel,
Auker,	Gibson,	Mahan,	Stevenson,
Banker,	Gleason,	Markley,	Stoner,
Barkdoll,	Goodling,	McCullough,	Strausser,
Baumunk,	Gramlich,	McInroy,	Sucher,
Bear,	Greenwood,	Mikula,	Thompson,
Blair,	Gutendorf,	Moody,	Tompkins,
Bolton,	Guthrie,	Moore,	Toomey,
Bomberger,	Hall,	Moscrip,	VanSant,
Bower,	Hamilton, W. H.,	Murray, P. G.,	Varner,
Breisch,	Haudenshield,	Naugle,	Vaughan,
Brown,	Helm,	Ogilvie,	Wall,
Bullen,	Hewitt,	Peifly,	Waterhouse,
Clapper,	Hocker,	Phillips,	Weidner,
Connelly,	Ide,	Price,	Wescott,
Cooper,	Jones, Geo. E.,	Quisenberry,	Whalley,
Davis,	Jones, T. H. W.,	Ragot,	Willaredt,
Down,	Jump,	Reagan,	Wilt,
DuBois	Keller,	Richter,	Wood,
Erb,	Kerlin,	Royer,	Yeakel,
Ewing,	Kohl,	Scott,	Young,
Ferster,	Kratz,	Shoemaker,	Ziegler,
Flack,	Kromer,	Shotwell,	Smith, C. C.,
Fleischman,	Lafore,	Spencer,	Speaker
Frost,	Leisey,		

NAYS—101

Adam,	Glick,	McCann,	Rovansek,
Alexander,	Guss,	McCormack,	Rubin,
Amarando,	Hamilton, R. K.,	McDermit,	Sarraf,
Andrews,	Harris,	McGee,	Schmidt,
Bazin,	Hersch,	McWherter,	Schuster,
Boles,	Hoggard,	Mihm,	Schwartz,
Boory,	Jenkins,	Miller,	Seyler,
Breth,	Jim,	Mills,	Smith, W. B.,
Bucchin,	Johnson,	Monroe,	Snider,
Buchanan,	Jones, Gran'le E.,	Moran,	Stank,
Capano,	Jones, Paul F.,	Muldowney,	Stone,
Cianfrani,	Kamyk,	Munley,	Taylor,
Cioffi,	Kent,	Murray, J. J.,	Thomas,
Comer,	Kolankiewicz,	Needham,	Toll,
Conner,	Kornick,	Olsen,	Varallo,
Coyle,	Kubacki,	Parlante,	Verona,
Curwood,	Lederer,	Peta,	Wallace,
Dougherty,	Leonard,	Petrosky,	Walsh,
Downey,	Leven,	Pettigrew,	Wargo,
Dunn,	Limper,	Pfaff,	Welsh,
Farabaugh,	Lopresti,	Polaski,	Wheeler,
Fenrich,	Lovett,	Polen,	White,
Filo,	Lutty,	Poltenstein,	Whitenight,
Floyd,	Maguire,	Reidenbach,	Williams,
Flynn,	Mathews,	Rosen,	Yetzer,
			Zeitz,

NOT VOTING—9

Cochran,	Maxwell,	Musto,	Watkins,
Kline,	Metz,	Readinger,	Worley,
Light,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. LEVEN filed the following reasons for his vote on House Bill 1140:

In voting against this bill, I do so with the full knowledge of my responsibility as a member of this General Assembly. I know the constitutional requirements and I want everyone to know that a bill to receive my support would not necessarily have to be a bill of such perfection that no flaw could be found in it. But when such a monstrosity as this is to be pawned off upon the people of Pennsylvania, as a reapportionment bill, then I feel conscience and duty bound to have all of the members of the General Assembly to vote against it. There are many inequities in this present reapportionment of the Commonwealth but this bill not only fails to correct the inequity but creates a great many more.

The Constitution never intended that a member of the General Assemly in order to obey the letter of the Constitution would be compelled to violate the spirit of the Constitution.

When a bill before this General Assembly is unfair and not based upon a desire to serve the whole state of Pennsylvania then every member ought to cast his vote against it.

I will vote at any time for a fair representative reapportionment bill.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to say now that the vote has been announced, despite the fact that the gentleman from Berks, Mr. Weidner, pointed out that the bill was eminently fair, had been given a great deal of study was an excellent job well done, and had been practically agreed upon in conference between himself and high-level members of the Democratic high command, yet there was not a single Democratic vote for this bill. I think that is significant, and I regret to have seen this bill go down today.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, it is significant, very significant, that we who have carried the banner for fair legislative reapportionment for 20 years should have voted against this bill! It is so significant that we will be very glad to carry this bill, with its defects, to the people of this Commonwealth and answer on every corner in the state the reasons why we took stand we did today.

SPECIAL ORDER ON HOUSE BILL 1240

Mr. KENT. Mr. Speaker, I move that House Bill 1240, Printer's No. 389, be made a Special Order of Business on third reading and final passage immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the Special Order of Business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1240, as follows:

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal gas and oil and the underground storage of gas in underground strata by regulating the location drilling reconditioning and abandoning of oil and gas wells through workable coal seams providing for the protection of said coal and said wells providing for the regulation of the underground storage of gas in the vicinity of or under coal mines providing for the filing of information relating to the underground storage of gas and the operation of coal mines providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines imposing duties upon gas storage operators persons operating coal mines other persons engaged in operations affecting the mining of coal or the underground storage of gas and the Department of Mines and Courts of Common Pleas and prescribing methods for the enforcement of such duties providing for the creation and organization of a division of the Department of Mines to be known as the Oil and Gas Division Defining the powers and duties of such division Prescribing and regulating practice and procedure before the division granting certain corporations the right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas providing for hearings and appeals and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

(1) The term "coal mine" means excavations and workings which include only the excavated portions of a mine those abandoned as well as the places actually being worked also all underground workings and shafts tunnels and other ways and openings and all such shafts slopes tunnels and other openings in the course of being sunk or driven together with all roads appliances machinery and material connected with the same below the surface

(2) The term "operating coal mine" means (i) a coal mine which is producing coal or has been in production of coal at any time during the twelve (12) months immediately preceding the date its status is put in question under this act and any worked out or abandoned coal mine connected with or contiguous to such operating coal mine as herein defined and (ii) any coal mine to be established or re-established as an operating coal mine in the future pursuant to subsection (c) of Section 33 of this act

(3) The term "outside coal boundaries" when used in conjunction with the term "operating coal mine" means the boundaries of the coal acreage assigned to such coal mine which can be mined through such coal mine

(4) The term "workable coal seam" means (i) a coal seam in fact being mined commercially in the area in question under this act by underground methods or (ii) a coal seam not less than twenty-four (24) inches in thickness (and not over twelve hundred (1200) feet in depth insofar as bituminous coal is concerned) which in the judgement of the Department of Mines can and that it is reasonable to be expected will be commercially mined by underground methods

(5) The term "coal operator" shall include any person as herein defined that proposes to or does operate a coal mine

(6) The term "department" shall mean the Department of Mines

(7) The term "well" when used in this act means a bore hole drilled or proposed to be drilled for the purpose of producing natural gas or petroleum or through which natural gas or petroleum is being produced or drilled or used for the purpose of injecting liquids or gases into oil or gas bearing strata for purposes of production conservation or storage

(8) The term "owner" when used with reference to any such well shall include any person as herein defined that owns manages operates controls or possesses such well as principal

(9) The term "well operator" shall include any person as herein defined that proposes to or does locate drill operate or abandon any well as herein defined

(10) The term "gas" means any natural manufactured or coke oven gas or any mixture thereof

(11) The term "storage reservoir" means any subterranean sand or rock stratum into which gas is injected for the purpose of storage

(12) The term "plat" means a map drawing or print showing the location of a well or wells as herein defined

(13) The term "casing" means a string or strings of pipe commonly placed in wells drilled for natural gas or petroleum

(14) The term "bridge" means an obstruction placed at a distance from the bottom of a well as a means of setting a plug at a certain place in the well

(15) The term "cement" means hydraulic cement properly mixed with water only

(16) The term "linear feet" means a straight line distance on a horizontal plane

(17) The term "oil" is a synonym for petroleum

(18) The term "person" means any individual association partnership or corporation

(19) The terms "division" and "oil and gas division" mean the oil and gas division of the Department of Mines of the Commonwealth of Pennsylvania as established by this act

Article II

Oil and Gas Wells Located on Land Known to be Underlaid With One or More Workable Seams of Coal

Section 21 Well Operator's Responsibility Before and During Drilling (a) Before drilling for oil or gas at a location known to be underlaid with one or more workable seams of coal the well operator shall have a plat prepared by a competent engineer showing the political subdivision and county in which the tract of land is located the name and acreage of the same the proposed location of the well determined by survey the courses and distances of such location from two permanent points or landmarks on said tract and the number to be given the well and the workable coal seams underlying said tract which are to be protected in accordance with provisions of section twenty-four of this act and shall forward by registered mail a copy of the plat to the Oil and Gas Division and copies to the owner of the coal and to every coal operator if any operating said seams of coal beneath said tract of land It shall be the duty of the Oil and Gas Division to send notice of the fact that such plat has been filed within ten (10) days of the receipt of such plat to every other coal operator operating said seams of coal within one thousand (1000) feet of the proposed well who has mapped the same and filed his maps with the Department of Mines as required by law If no objections are made to such proposed location within ten (10) days from receipt of such plat and notice by such coal operators or owners the same shall be filed and become a permanent record of such location subject to inspection at any time by any interested person The notice may be given to the coal operator by delivering or mailing it as above to any agent or superintendent in actual charge of mines

(b) It shall be the duty of the well operator to carefully keep a true driller's log of the drilling of such well Such log shall show the character and depth of the formations passed through or encountered in the drilling

of such well and show depth of the gas or oil bearing strata and the depth and thickness of the various coal seams The log shall show whether the well is gas or oil producing or whether it is a non-productive well

(c) A copy of such log shall be furnished to the Oil and Gas Division within thirty (30) days after the completion of such well The log shall be kept on file by the Oil and Gas Division

Section 22 Drilling Permit Agreed Location of Wells Docket of Proceedings (a) In case any location referred to in section twenty-one is made above or within one thousand (1000) feet of any abandoned coal mine or operating coal mine or coal mine already surveyed and platted but not yet being operated so that the well or the pillar of coal about the well necessary to the protection of the mine and of the well itself when drilled will interfere with or endanger such mine then the coal operator or operators affected shall have the right if the drilling of a well at such proposed location will interfere with or cause a dangerous condition in their mine or mines to file within ten (10) days from receipt of such coal operator objections in writing (on a form to be furnished by the division) to such proposed location with the Oil and Gas Division setting out therein as definitely as is reasonably possible the ground or grounds on which such objections are based and indicating the direction and distance from the location shown that the proposed well should be drilled to overcome such objections If no such objections are filed or are found to exist by the Oil and Gas Division within said period of ten (10) days to such proposed location the division shall forthwith issue to the well operator a drilling permit reciting the filing of such plat that no objections have been made by the coal operators to the location or found to exist by the division and that the location is approved and that the well operator is authorized to proceed to drill at such location

(b) If any objections are filed by any coal operator or are made by the Oil and Gas Division the division shall direct that a hearing be held in accordance with the provisions of section forty-one The notice of hearing shall contain a statement of the nature of the objections raised with respect to such proposed location At said hearing the well operator and such coal operators as are present or represented shall proceed to consider the objections and to agree upon the location as made or on such other location as will satisfy such objections and be approved by the division If such parties are unable to agree upon a location satisfactory to the division then the division shall by an appropriate order fix a location on such tract of land as near to the original location as possible where the well can be drilled safely in the judgment of the division taking into consideration the dangers from creeps squeezes or other disturbances due to the extraction of coal Such new location as agreed upon by the parties or as fixed by the division shall be indicated on the plat on file with the division and the distance and direction of the new location from the original location shall be shown and as so altered the plat shall be filed and become a permanent record Whereupon the division shall issue to the well operator a drilling permit reciting the filing of said plat and that the well operator is authorized to drill at such location The well operator shall not drill any well at a location different from that shown on said plan without the consent of the Oil and Gas Division

(c) The coal operator if any shall within sixty (60) days of commencement of drilling the well locate the well by a closed survey on the same datum as the mine workings or boundaries affected

(d) The oil and gas division shall number and keep an index of and docket each plat and notice mailed to it as provided in section twenty-one of this act entering in such docket the name of the well operator names of the coal operators notified and their addresses the date of receipt of any such plat and of all objections filed dates of hearings and all actions taken by division permits issued or refused This docket shall be open to inspection by the public and together with the papers filed shall constitute the record of each proceeding before the division

(e) Any party to the aforesaid proceeding before the division who has not agreed to the location as determined herein and who excepts to the order of the division issued hereunder may appeal to the court of common pleas pursuant to the provisions of section forty-one Any such appeal shall be expedited as far as is reasonably possible having regard to possible drainage or loss of title by the well operator through its failure to complete a well within the period fixed by the terms of the lease under which it holds The court may by an interluctory order stay the drilling of the well until a final decision on the appeal and upon the granting of such stay the court may in its discretion require the filing of a bond to the Commonwealth for the use of all parties aggrieved in such sum and conditioned as the court may by its order direct or may grant such stay upon such other terms and conditions as the court in its discretion may prescribe

Section 23 Coal Operator's Responsibility upon Approaching Wells Already Drilled or Located (a) Hereafter before removing any coal or other material or extending the workings in any coal mine within one hundred and fifty (150) feet of any well the coal operator shall forward by registered mail to or file with the well operator and the oil and gas division a copy of the parts of its maps and plans which it is required by law to prepare and file with the division and bring to date from time to time showing pillars to be left in place for protection of the wells in the projected workings The coal operator affected by this provision shall file his plan of mining showing the pillars to be left for the protection of the wells in the projected workings for approval by the division as far in advance of the time when he will be within five hundred (500) feet of such well as is practicable If in the opinion of any well operator such plan of mining showing the pillar or pillars to be left for the protection of the well or wells are insufficient in size to provide such protection or will endanger the well or wells or cause its or their abandonment then the well operator or operators affected may within ten (10) days from receipt by them of such notice file objections in writing (on a form to be furnished by the division) to such proposed plan of mining operations showing the proposed pillar or pillars to be left for the protection of the well or wells setting out therein as definitely as is reasonably possible the ground or grounds on which such objections are based and indicating what pillar or pillars should be left to overcome such objections If no objections are filed within said ten (10) day period or are found to exist by the oil and gas division the division shall forthwith issue a permit to the coal operator reciting the filing of said maps or plans that no objections have been made thereto and that the coal operator is authorized to proceed with his mining operations in the manner as projected

(b) If any objections are filed by such well operator or are found to exist by the oil and gas division the division shall direct that a hearing be held in accordance with the provisions of section forty-one The notice of hearing shall contain a statement of the nature of the objections raised with respect to such pillar or pillars At such hearing the coal operator and such well operators as are present or represented shall proceed to consider the objections and to agree upon a proposed plan of mining showing the pillar or pillars to be left for protection of the well or wells If such parties are unable to agree upon a plan of mining showing the pillar to be left with respect to each well in question the division shall by an appropriate order subject to the standards set forth in this section determine a plan of mining showing the pillar to be left with respect to each well which shall be as nearly as possible like the original plan filed by the coal operator as will provide sufficient protection for each of said wells taking into consideration the dangers from creep squeeze or other disturbances due to the extracton of coal Such new plan of mining showing the pillar to be left with respect to each well shall be indicated on the maps or plans on file with the division as provided

in subsection (a) of this section and the division shall thereupon issue to the coal operator a permit to proceed with his mining operations in the manner projected upon such maps or plans

(c) Whenever a permit shall have been issued by the oil and gas division under this section approving or requiring a certain plan of mining for the leaving of a specified pillar for the protection of each of the wells in the projected workings and it shall thereafter be demonstrated by further mining operations in the area that the size of any pillar to be left is insufficient for the protection of any well then the oil or gas operator may file a petition with the oil and gas division to review such plan of mining showing the pillar to be left with respect to any well still to be protected in the course of the mining operations and following the procedure hereinabove in this section prescribed the oil and gas division may determine and order subject to the standards set forth in this section a different plan of mining showing the pillar to be left thereafter with respect to each such well which shall be as nearly as possible like the original plan filed by the coal operator as will provide sufficient protection for each of said wells

(d) Application may be made at any time to the oil and gas division by the coal operator to mine or remove coal or conduct his mining operations in a manner different from that shown on the plans filed pursuant to the preceding paragraphs of this section If any such application is filed the division shall hold a hearing thereon pursuant to the provisions of section forty-one Following such hearing the division may determine and order subject to the standards set forth in this section a different plan of mining showing a different size of pillar with respect to each well to be left thereafter

(e) In any proceeding to determine the pillar to be left with respect to any well the division shall not require the coal operator to leave a pillar in excess of one hundred (100) feet in radius except that in any such proceeding if it is established that a pillar of larger size is necessary to protect said well the division may require a pillar up to but not exceeding one hundred fifty (150) feet in radius The coal operator shall not without the consent of the division remove any coal or other material or cut any passageway so as to leave a pillar of less size or different location with respect to the well than shown on said plan as filed and agreed to by the well operator or as determined by the oil and gas division The well operator shall at all times have the right to negotiate and agree with the coal operator for the leaving of a pillar larger than that which the coal operator is required to leave by the provisions of this section

(f) The oil and gas division shall docket and keep a record of all proceedings under this section twenty-three substantially as required in section twenty-two and from any such final decision or order of the oil and gas division any dissatisfied party may appeal to the common pleas court of the county in which the well about which approval of such further operations is involved is located as provided in section forty-one

Section 24 Protective Devices (a) When a well is drilled through a coal seam from which the coal has been removed the hole shall be drilled at least thirty (30) feet below the coal seam of a sufficient size to permit the placing of at least a one quarter (¼) inch thick steel pipe liner The liner shall extend from a point not less than twenty-five (25) feet below the coal seam to a point not less than twenty-five (25) feet above the same The liner shall be fastened to the casing at the bottom end and the casing shall be centrally located within the liner The annular space between the largest casing and liner shall be filled with aquagel or pure hydraulic cement The casing shall be raised off the bottom of the hole at least the distance of one joint of casing then pure hydraulic cement grout shall be placed in the well through the casing to a depth of twenty (20) feet After grout has been placed the casing shall be lowered to the bottom In each case where cement is used to set casing strings at least forty-eighty (48) hours shall be allowed for the proper setting of the cement All casing strings shall be equipped with either approved packers or casing shoes and the annular space between all casing strings shall be closed at the surface with suitable casing head devices permitting the free flow of gas either to atmosphere or to pipe line and preventing dirt or debris of any type from falling into the annular space

(b) Should it be found necessary to drill through two or more workable coal seams from which the coal has been removed such liner shall be started not less than twenty-five (25) feet below the lowest such seam penetrated and shall extend to a point not less than twenty-five (25) feet above the highest such seam

(c) The district inspector of the Department of Mines and the coal operator shall be given at least forty-eight (48) hours notice by the well operator when the well is to be sealed through the coal seam

(d) A well penetrating one or more workable coal seams as determined by the permit issued under section twenty-two hereof shall be drilled to such depth and of such size as will permit the placing of casing and packers in the hole at such points and in such manner as will exclude all oil gas or gas pressure from the workable coal seam except such as may be found in the workable coal seam itself Each string of casing run in the hole shall be provided with a steel casing shoe or collar firmly fixed on the bottom of the string of casing The outer string of casing run through any workable coal seam shall be at least one quarter (¼) inch in thickness and shall be seated at least thirty (30) feet below such workable coal seam or if run through more than one workable coal seam then thirty (30) feet below the lowest of such workable coal seams in twenty (20) feet of neat hydraulic cement aquagel or other equally non-porous material and such casing string shall extend to the surface The space outside the largest diameter casing running through a workable coal seam shall be filled with neat cement aquagel or other equally non-porous material to the surface The district inspector of the Department of Mines and coal operator or owner shall be given at least forty-eight (48) hours notice by the well operator when the well is to be protected through the coal seam

(e) In the event that gas is found beneath a workable coal seam before the hole has been reduced from the size it had at the coal seam a packer or cement plug shall be placed below the coal seam and above the gas horizon and the gas by this means diverted to the inside of the adjacent string of casing through perforations made in such casing and through it passed to the surface without contact with the coal seam Should gas be found between two workable seams of coal in a hole of the same diameter from seam to seam two packers or cement plugs shall be placed with perforations in the casing between them permitting the gas to pass to the surface inside the adjacent casing In either of the cases here specified the strings of casing shall extend from their seats to the top of the well

(f) In the event that a well becomes productive of natural gas or petroleum all coal protecting strings of casing shall remain in place during the life of the well the annular space between the various strings of casing adjacent to workable seams of coal shall be kept open except as provided in subsection (e) of this section and the top ends of all such strings shall be provided with casing heads or such other suitable devices as will permit the passage of gas into the air or into a pipeline and prevent the filling of such annular spaces with dirt or debris

Section 25 Notice of Intention to Plug or Abandon a Well Prior to the abandonment of any well the well operator shall notify the coal operator or operators or owner or owners of workable coal seams to whom notices are required to be given by the well operator by section twenty-one of this act and the district inspector of the Department of Mines of his intention to plug and abandon any such well giving the number of the well and its location and fixing the time at which the work of plugging and filling will be commenced which time shall not be less than forty-eight (48) hours after the time when such notice is received or in due course should be re-

ceived by the district inspector of the Department of Mines said operators and owners in order that a respresentative or representatives of the coal operator or operators and owner or owners of workable coal and of the Department may be present at the plugging and filling of the well Such notice may be waived by the district Inspector of the Department of Mines and said operators and owners and they may likewise waive their right to be present but such waiver shall be in writing and a copy thereof attached to notice of abandonment filed with the Department of Mines under this section Whether such representatives appear or do not appear the well operator may proceed at the time fixed to plug and fill the well in the manner hereinafter described When such plugging and filling have been completed a certificate shall be made (on a form to be furnished by the oil and gas division) by two experienced men who participated in the work in which certificate shall be set forth the time and manner in which the well was plugged and filled One copy of this certificate shall be retained by the well operator and another true copy shall be mailed to the oil and gas division

Section 26 Method of Plugging and Abandoning Upon abandoning or ceasing to operate any well which passes through a workable coal seam the owner or operator thereof shall plug the same in the following manner

The well shall be filled with rock sediment to a point above the top of the lowest oil or gas bearing strata formation encountered or in lieu thereof a bridge shall be placed at a point above the top of such formation and the space above said rock fill or bridge shall be filled for at least twenty (20) feet with neat cement or other equally non-porous material the cement or other material shall be so introduced and a sufficient lapse of time allowed before proceeding so as to assure that it has properly set and in like manner all other oil or gas bearing formations encountered in the well shall be plugged and filled A final plug shall be anchored approximately ten (10) feet below the bottom of the largest casing but not less than forty (40) feet below the lowest workable coal seam and filled in with approximately twenty (20) feet of rock or gravel After the inside casing has been drawn there shall be placed on top of the rock or gravel above the final plug a two (2) inch vent pipe with a bell fitting or other suitable device to carry any free gas into the vent pipe The vent pipe shall extend above the surface at last six (6) feet and shall be fitted at the top with a tee and two (2) street ells or similar devices so as to prevent debris from entering the vent pipe and in a storage reservoir area as described in clause (1) of subsection (a) of Section thirty-four the vent pipe shall be maintained in good repair The space surrounding the vent pipe shall be filled with neat cement aquagel or other equally non-porous material from the bell fitting or other suitable device to a point not less than twenty-five (25) feet above the highest workable coal seam All plugs used in said wells shall be well seasoned round wooden plugs of the diameter of the well at the point at which said plug shall be located They shall be at least three (3) feet in length and the lower end thereof tapered for a distance of eighteen (18) inches

Section 27 Alternative Method (a) Application may be made at any time to the oil and gas division by a well operator for approval of any alternative method of drilling or plugging which will protect workable coal seams describing such method in reasonable detail Notice of filing of any such application shall be given by registered mail to any coal operator or operators affected Any such coal operator may within ten (10) days following such notice file objections in writing to such proposed alternative method of drilling or plugging setting forth in reasonable detail the ground or grounds on which such objections are based If no objections are filed with said ten (10) day period or found to exist by the division the division shall forthwith issue a permit to the well operator approving such proposed alternative method of drilling or plugging

(b) If any objections are filed by any coal operator or found to exist by the oil and gas division the division shall direct that a hearing be held in accordance with the provisions of section forty-one hereof Following such hearing if the division shall find that such proposed alternative method of drilling or plugging will furnish protection to the workable coal seams at least equal to that furnished by the methods set forth in sections twenty-four and twenty-six the division shall issue a permit approving such alternative method Any dissatisfied party may appeal from any final decision or order of the oil and gas division to the common pleas court of the county in which the well is located or to the Court of Common Pleas of Dauphin County as provided in section forty-one

Article III

Regulation of Underground Gas Storage Pools in Certain Areas and Appropriation of Interests in Real Property

Section 31 Filing of Maps Plans and Other Information (a) Any person who on the effective date of this act is injecting gas into or storing gas in underground strata which are under a workable coal seam in this Commonwealth and under or within three thousand (3000) linear feet of an operating coal mine shall within forty-five (45) days thereafter file with the oil and gas division a copy of a map and certain data in the form and manner hereinafter provided Any person who on the effective date of this act is injecting gas into or storing gas in such underground strata which are not at such date under or within three thousand (3000) linear feet of an operating coal mine shall file such map and data within such time as the oil and gas division may fix Any person who hereafter is preparing to inject or store gas in such underground strata shall file not less than six (6) months prior to actual injection or storage such map and data with the oil and gas division The map provided for herein shall be prepared by a competent engineer or geologist showing the area location extent and depth of the existing or proposed storage reservoir the stratum or strata in which it is or is to be located its outside boundaries and such information as is available to such person as to the location depth and date of drilling of all known gas and oil wells which have ben drilled to or through the storage stratum within said boundaries or within three thousand (3000) linear feet thereof whether gas or oil was discovered the discovery or rock pressure at which either was found and whether a driller's log or other similar information is available for each such well and where it may be inspected This map shall also show the location of all wells which have been or are proposed to be cleaned out reconditioned or plugged all those which have been or will be used for injection and removal of gas and all new wells which are being drilled or which are proposed to be drilled At the time of the filing of the aforesaid maps and as a condition precedent to such injection and storage or to the continuation of such injection and storage such person shall file a full and complete statement of what efforts he has made to ascertain (1) that the wells shown on said map are accurately located thereon and (2) that they are all the gas and oil wells which have ever been drilled in and through the strata overlying the proposed storage reservoir area This statement shall also include a statement of the maximum pressures at which injection and storage of gas is contemplated and a detailed explanation of the methods to be used in drilling cleaning out reconditioning and plugging wells in the storage reservoir area or within two thousand (2000) linear feet thereof The maps and other data shall be amended or supplemented semi-annually to reflect changed circumstances or information provided any changes have occurred

(b) The requirements of this section shall not apply to the operator of an underground gas storage reservoir located in an area more than ten thousand (10,000) linear feet from an operating coal mine provided however that such storage operator shall give notice to the oil and gas division of the name of each and every county in which said operator maintains and operates a gas storage reservoir and the oil and gas division shall keep a record of

such information In the event that a coal operator has determined by inquiry at the oil and gas division that a gas storage reservoir exists in the same county in which it is proposed to operate a coal mine and has by written request of the storage operator asked for the maps and data required in this section then and in that event said gas storage operator shall promptly supply said information to the coal operator and the oil and gas division

(c) At the time of the filing of the above maps and data and the filing of amended or supplemental maps or data the oil and gas division shall give written notice of said filing to all persons who have by notice to the oil and gas division indicated that they desire to be notified of any gas storage reservoir established or to be established in the county or counties in which their mine is located Where a person operating an operating coal mine or owning coal properties which are or may be affected by the storage reservoir shall request a copy of any map or data filed with the oil and gas division by the person operating a storage reservoir such copy shall be furnished by the person operating the storage reservoir

(d) For all purposes of this act the outside boundaries of a storage reservoir shall be defined by the location of those wells around the periphery of the storage stratum which had no gas production in said stratum provided however that the boundaries as thus defined shall be originally fixed or subsequently changed where based upon the number and nature of such wells upon the geological and production knowledge of the storage stratum its character permeability and distribution and past operating experience it is determined in a proceeding under section forty-one that modification should be made

Section 32 Filing of Maps and Data by Persons Operating Coal Mines (a) The person owning or operating any operating coal mine shall file with the oil and gas division and upon the written request of any person who is storing or is contemplating the storage of gas in the vicinity of such operating coal mine furnish to such person a map showing the outside coal boundaries of said operating coal mine which map shall show the existing workings and the relationship of said boundaries to identifiable surface properties and landmarks If after receipt of such map the person who is storing or is contemplating storing gas in the vicinity of said operating coal mine shall notify in writing the owner of the operating coal mine that he desires to be informed of any change in the said boundaries of such operating coal mine by reason of the subsequent acquisition of additional coal properties or by reason of subsequent disposition of any portion or portions thereof additional maps shall be furnished at the time of such acquisition or disposition.

(b) The person owning or operating any operating coal mine which on the date of the enactment of this act is or which thereafter comes within ten thousand (10,000) linear feet of a storage reservoir shall within forty-five (45) days after the effective date of this act or the occurence of such event whichever shall be later file with the oil and gas division and furnish to the person operating such storage reservoir a map in the form hereinabove provided showing in addition the existing and projected excavations and workings for the ensuing eighteen (18) month period of such operating coal mine and shall also include the location of any wells of which said coal operator shall have knowledge Such person owning or operating said operating coal mine shall each six (6) months thereafter file with the oil and gas division and furnish to the person operating such storage reservoir an additional map indicating any additional excavations and workings together with the projected excavations and workings for the then ensuing eighteen (18) month period which may be within ten thousand (10,000) linear feet of said storage reservoir

(c) In determining whether the excavations and workings of a particular coal mine are or will be within any distance material under this act of any gas storage reservoir the owner or operator of such coal mine may rely on the most recent maps of storage reservoirs filed in accordance with section thirty-one

Section 33 Notice by Persons Operating Coal Mines (a) If on the effective date of this act gas is being stored in a storage reservoir which is under or within two thousand (2000) linear feet of an operating coal mine the person owning or operating such coal mine shall within ten (10) days thereafter notify the oil and gas division and the person operating such storage reservoir of such fact

(b) When any person owning or operating an operating coal mine expects within the ensuing nine (9) months period to extend such coal mine to a point within two thousand (2000) linear feet of any storage reservoir he shall so notify the oil and gas division and the person operating the storage reservoir

(c) Any person intending to establish or re-establish an operating coal mine over or within two thousand (2000) linear feet of any storage reservoir or which upon being established or re-established may within nine (9) months thereafter be expected to be within two thousand (2000) linear feet of any storage reservoir shall so notify the oil and gas division and the person operating such storage reservoir and such notice shall include the date on which it is intended the operating coal mine will be established or re-established Any person who wilfully and maliciously serves notice of an intention to establish or re-establish an operating coal mine under this subsection without intending in good faith to establish or re-establish an operating coal mine shall be liable for continuing damages to any person injured by the serving of such improper notice and shall be guilty of a misdemeanor under this article

Section 34 Operating of Certain Underground Gas Storage Reservoirs (a) The injection and storage of gas in a storage reservoir located under or within two thousand (2000) linear feet of an operating coal mine regardless of when such mine may be established shall be permitted only if the oil and gas division after an appropriate hearing held at the request of any interested party and in the manner provided in section forty-one shall find (1) that the person operating such storage reservoir by the use of every known method which is reasonable under the circumstances for discovering unknown or uncharted wells in that acerage within the outside coal boundaries of such operating coal mine which acreage overlies the storage reservoir and a surrounding area within two thousand (2000) linear feet of that acreage has in the judgment of the oil and gas division established that there are no unknown or uncharted gas oil or other wells extending into or through the strata occupied by such gas storage reservoir which wells are located in the aforesaid acreage (2) that the maps filed under section thirty-one or under this section by the person operating such storage reservoir are true and correct within the standards therein set forth and (3) that all known oil and gas wells except wells referred to in subsections (d) and (e) of this section extending into or through the strata occupied by such storage reservoir which wells are located within that acreage of such operating coal mine which acreage overlies the storage reservoir and in addition a surrounding area within two thousand (2000) linear feet of the boundaries of such acreage have been reconditioned or plugged and abandoned in the manner provided in subsection (k) of this section If the oil and gas division shall make the foregoing findings it shall thereupon by an appropriate order certify that the findings required by this subsection have been made It shall be the duty at all times of the person owning or operating such reservoir to take all necessary and reasonable precautions to keep all known wells in such condition and operate the same in such manner so as not to permit any leakage of gas therefrom to drill all new wells in the manner provided in subsection (k) of this section and to take all necessary and reasonable precautions to prevent any leakage of gas from such reservoir into such mine

(b) A certification issued as aforesaid shall be conditioned on the performance by the operator of such storage

reservoir of the duties set forth in the following provisions As the operating coal mine is extended the known oil and gas wells referred to in clause (3) of subsection (a) which from time to time come within the acreage described in clause (3) of subsection (a) shall be reconditioned or plugged and abandoned in accordance with the requirements of subsection (k) of this section so that by the time the coal mine has reached a point within two thousand (2000) linear feet of any such well it will have been reconditioned or plugged and abandoned so as to meet the requirements of subsection (k) of this section

(c) If a storage operator in fulfilling the requirements of clause (3) of subsection (a) of this section reconditions or plugs a well within the area of two thousand (2000) linear feet outside the boundaries of the storage reservoir in reliance on the projections of the coal operator indicating that the mine workings will within a period less than eighteen (18) months be within two thousand (2000) linear feet of said well and said mine workings do not within a period of five (5) years after said projections have been filed come within two thousand (2000) linear feet of said well the coal operator shall reimburse the storage operator for the cost of said reconditioning or plugging provided such well is still within an area two thousand (2000) linear feet outside the boundaries of the storage reservoir

(d) Where a well located within the area of two thousand (2000) linear feet surrounding the acreage referred to in clause (3) of subsection (a) is a producing well in a stratum other than the storage stratum the obligations imposed herein with respect to such well on the person operating such storage reservoir shall not begin until such well ceases to be a producing well

(e) Where a well located within the area of two thousand (2000) linear feet surrounding the acreage referred to in clause (3) of subsection (a) has been previously plugged and the person operating such storage reservoir can produce information and acceptable records which will establish to the satisfaction of the oil and gas division that such plugging was done in substantially the manner required herein the obligations imposed by this subsection shall be considered fully satisfied if such well is replugged to a depth of forty (40) feet below the coal seam

(f) No storage reservoir certified under this section shall be repressed to a settled pressure in excess of ninety (90) percent of the theoretical hydrostatic pressure from the top of the storage stratum up to the lowest workings of said coal mine overlaying said reservoir unless the operator of said coal mine and the operator of said storage reservoir shall agree subject to the approval of the oil and gas division that a greater pressure is to be permitted but under no conditions shall the oil and gas division approve a pressure in excess of the original rock pressure or in the event there is no method of determining original rock pressure a pressure in excess of one hundred (100) percent of the theoretical hydrostatic pressure from the top of the storage stratum up to the surface

(g) The operator of any storage reservoir which on the effective date of this act is under or within two thousand (2000) linear feet of an operating coal mine may apply in writing to the oil and gas divisions for a certification of such reservoir at any time after the effective date of this act The operator of any other storage reservoir may upon receipt of a notice filed under section thirty-three or at any time thereafter apply in writing for such certification. If the notice provided for in section thirty-three is not given such storage operator may file such application at such time as the oil and gas division may authorize

(h) Unless a certification as provided in subsection (a) of this section has been issued and is in effect as to any storage reservoir which now is or which hereafter may be located under or within two thousand (2000) linear feet of any operating coal mine regardless of when such mine may be established the injection and storage of gas in such reservoir shall not be permitted The removal of gas from a reservoir which has not been certified hereunder shall be made in accordance with the following provisions Upon the giving of the notice provided in subsections (a) and (b) of section thirty-three to the oil and gas divison and to the person operating such storage reservoir the injection of gas into such reservoir shall thereupon cease and upon the giving of the notice provided in subsection (c) of section thirty-three to the oil and gas division and to the person operating such storage reservoir The injection of gas into such storage reservoir shall cease either upon the date upon which such notice is served or upon a date nine (9) months prior to the date specified in said notice for the establishment or re-establishment of said operating coal mine whichever date is later During the nine (9) months following the date for the cessation of the injection of gas as herein provided except as such nine (9) month period may be extended by the oil and gas division as provided in section forty-one the person operating such storage reservoir shall remove the maximum amount of gas in such storage reservoir that can be removed in accordance with recognized engineering and operating practices and insofar as existing physical facilities used to remove gas from such storage reservoir permit and thereafter the right to inject and store gas in such storage reservoir shall not be permitted until such time as such storage conforms with and does not violate any of the provisions of this act

(i) If a person operating a storage reservoir which on the effective date of this act underlies or is within two thousand (2000) linear feet of an operating coal mine shall within forty-five (45) days from the effective date of this act file an application for certification as provided in subsection (g) of this section and submits its case in support of such application within one hundred and eighty (180) days thereafter the period for computing the time within which the injection and storage of gas must cease under the provisions of this section if approval is not obtained shall be extended until such time as the oil and gas division has rendered its decision on such application If the oil and gas division is unable to hear all such applications within such one hundred and eighty (180) day period the oil and gas division shall with respect to all cases not then completed extend said period for such additional period as is necessary but not to exceed an additional period of one hundred and eighty (180) days and the period for computing the time within which the injection and storage of gas must cease shall be likewise extended

(j) If in the hearing respecting certification of such reservoir it is established that other conditions of approval have been met but complete approval cannot be granted for the reason that the requirements of clause (3) of subsection (a) have not been met as to all the known wells involved the oil and gas division shall grant the person operating such reservoir such time as is reasonably necessary to complete the reconditioning plugging and abandoning of such wells to fully meet the requirements of clause (3) of subsection (a) and shall certify said reservoir conditioned upon the performance of such obligation

(k) In order to satisfy the requirements of subsection (a) of this section oil and gas wells shall be drilled plugged or abandoned as the case may be as provided in Article II and when a well is required to be reconditioned to meet the requirements of subsection (a) of this section it shall be cleaned out to bottom and the casing strings shall be pulled and replaced with new casing using the same procedure as is applicable to drilling as provided in Article II except that in the case of wells to be used for gas storage the annular space behind each string of casing shall be filled to the surface with neat hydraulic cement or aquagel Application may be made to the oil and gas division in the manner prescribed in section twenty-seven of this act for approval of an alternative method of reconditioning a well which the oil and gas division may approve if it finds that the alternate method furnishes protection to the workable coal seams at least equal to that furnished by the method of reconditioning prescribed in this subsection

(l) Whenever in an operating coal mine retreat work for the purpose of recovering pillars or stumps left dur-

ing the advance shall approach a point where within ninety (90) days it is expected that such retreat work will be at the location of an active storage well the coal operator shall give notice of such approach to the storage operator and by agreement said parties shall determine whether it is necessary to inactivate said well temporarily by filling the same with aquagel or some equally effective substance in order to carry out the purposes of this act The operation of said well shall not be commenced again until a reasonable period has elapsed such reasonable period to be determined by the judgment of the parties with the approval of the oil and gas division In the event that the parties cannot agree then the matter shall be submitted to the oil and gas division for decision in accordance with the procedure for hearings hereafter set forth in section forty-one

(m) The number of wells required to be temporarily inactivated during the retreat period shall not be such as to affect the efficient operation of such storage pool This provision shall not preclude the temporary inactivation of a particular well where the practical effect of inactivating such well is to render the pool temporarily inoperative

(n) The provisions of subsection (a) of this section shall not apply to the injection of gas into any stratum where the sole purpose of such injection is to test whether said stratum is suitable for storage purposes subject however to the following provisions (1) At least ninety (90) days written notice shall be given to the oil and gas division that injection for testing purposes is to be made in that particular stratum (2) the maximum amount of gas necessary for testing purposes and the maximum pressure at which gas shall be injected shall be agreed upon between the person proposing to test for storage purposes and the person operating the operating coal mine subject to the approval of the oil and gas division and no gas in excess of such maximum amount or such maximum pressure shall be injected into said stratum pursuant to the provisions of this subsection

(o) Failure of the storage operator to carry out the provisions of this section shall be a basis for revoking such certification but only after proof of such failure has been established after a hearing thereon as provided in section forty-one before the oil and gas division

Section 35 Reliance on Maps Burden of Proof (a) In determining whether the excavations and workings of a particular coal mine are or will be within any distance material under this act of any gas storage reservoir the owner or operator of such coal mine may rely on the most recent maps of storage reservoirs filed in accordance with section thirty-one

(b) The person required to file any maps or data under sections thirty-one and thirty-two shall in any proceedings under sections thirty-four thirty-six forty-one and forty-two have the burden of proving that the facts required to be shown in said maps and data are true and correct

Section 36 Appropriation of Interests in Real Property (a) Any and all corporations empowered to transport sell or store natural and manufactured gas within this Commonwealth shall have the right subject to the following limitation to appropriate interests in real property for the injection storage and removal from storage of natural and manufactured gas in any stratum which is or previously has been commercially productive of natural gas if the original gas reserve therein is at least eighty (80) percent exhausted (but not including any coal measure whether or not being mined or any reservoir commercially productive of oil rather than natural gas) Provided That the stratum underlying the land wherein storage rights are proposed to be appropriated and the like stratum underlying adjacent lands are so interconnected as to constitute a geological reservoir having characteristics suitable for storage purposes And provided further That said corporation or two or more corporations each duly qualified hereunder acting jointly at the time it or they seeks to appropriate the interests in real property hereunder shall hold title in fee or have the right by grant lease or other agreement to store gas in at least seventy-five (75) percent of the total acreage of said reservoir

(b) Any corporation appropriating gas storage rights under this act shall designate by resolution adopted by its board of directors the particular stratum in which it intends to store gas

(c) This act shall be construed to authorize appropriation of the stratum to be used for storage of the gas reserve if any remaining therein and of any existing well or wells drilled into said stratum and further to authorize the appropriation of the right to enter upon and use the surface of lands for the purpose of working on and operating any existing or abandoned oil or gas well drilled into or through said storage stratum or within two thousand (2000) linear feet of the boundary thereof This act shall not be construed however as precluding the owner or owners of non-storage strata from drilling of oil and gas wells for the purpose of producing oil or gas from any stratum above or below the storage stratum appropriated by such corporation but the corporation appropriating or holding storage rights shall have access to and the right to inspect and examine any such drilling or completed well and the drilling logs and other records as to the drilling and equipping of such well for the purpose of determining whether the storage stratum is being adequately protected to prevent the escape of gas stored therein

(d) Any person drilling operating using abandoning or plugging any well through any stratum which shall have been appropriated under this act shall so drill case equip operate abandon or plug the same as to prevent any avoidable escape of gas that may be stored in the storage stratum The corporation storing gas shall upon demand accompanied by itemized cost statements reimburse such person or persons for the reasonable additional cost of protecting storage stratum against the escape of gas therefrom Upon failure neglect or refusal of such person or persons to comply with this section the court of common pleas shall have power to award injunction and other appropriate relief upon action brought by the corporation storing gas in the storage stratum

(e) Prior to any appropriation the corporation or corporations acting jointly shall attempt to agree with the owner or owners of the interests in real property involved as to the damage properly payable for the desired storage rights and remaining native gas reserve in the stratum appropriated and any existing well in or on his her or their property or of such other rights as are appropriated hereunder if such owner or owners can be found and are sui juris Failing to agree the corporation or corporations acting jointly shall tender to the property owner or owners a surety bond to secure him her or them in the payment of damages If the owner or owners refuse to accept said bond or cannot be found or are not sui juris said bond after reasonable notice to the property owner or owners by advertisement or otherwise shall then be presented to the court of common pleas of the county in which is situated the tract of land or the greater part of the tract of land involved for approval by it Upon the approval of the bond and its being filed the right of the corporation or corporations acting jointly to enter upon the enjoyment of its right to store gas and to enter on the property for the purpose of working on operating or properly plugging or casing of any existing abandoned or improperly plugged oil or gas well shall be complete

(f) Upon petition of either the property owner or owners or the corporation or corporations acting jointly said court shall appoint three disinterested freeholders of the county to serve as viewers to assess the damages proper to be paid to the property owner or owners for the rights appropriated by said corporation or corporations and shall fix a time for their meeting of which notice shall be given to both parties After the viewers shall file their report with the court said court shall fix reasonable compensation for the service of said viewers.

(g) Either party may appeal from the report of the viewers within twenty (20) days after the filing thereof

with the court of common pleas and have a jury trial and the right of appeal as in ordinary cases

(h) Nothing contained in this section thirty-six shall relieve the person operating a storage reservoir from the requirements of section thirty-four

Section 37 Exemption (a) The provisions of this article shall not apply to any of the following types of coal mines

(1) Strip mines

(2) Mines to which the provisions of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) as amended do not apply as provided in section three of Article XXVIII thereof and mines to which the provisions of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) as amended do not apply as provided in section one of Article I thereof

(b) Injection or storage of gas shall be prohibited in any workable coal seam whether or not such seam is being or has been mined Nothing in this article shall be construed to prohibit the original extraction of natural gas crude oil or coal

Secton 38 Penalties Any person who shall wilfully violate any provision of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than five thousand dollars ($5,000) or undergo imprisonment of not more than one year both or either at the discretion of the court Each day's continuance of such violation shall be a separate and distinct offense

Article IV

Miscellaneous Provisions

Section 41 Oil and gas division (a) There is hereby created a division of the Department of Mines to be known as the oil and gas division which division shall have power and authority to execute and carry out the provisions of this act in the manner provided herein The division shall be under the immediate supervision of a deputy secretary of mines for oil and gas who shall be appointed by the Secretary of Mines with the approval of the Governor and who shall be under the supervision and direction of the Secretary of Mines the deputy secretary at the time of his appointment shall be a person informed on the subjects of coal mining and oil and gas production and storage and shall beceive such compensation as may be fixed by the Secretary of Mines with the approval of the Governor

(b) The deputy secretary shall serve on behalf of the Secretary of Mines as hearing officer at all hearings conducted by the oil and gas division or in his absence or inability to act such other qualified representative of the oil and gas division as may be designated in writing by the secretary or said deputy secretary of mines

(c) The Secretary of Mines shall appoint and fix the compensation of such additional experts engineers geologists inspectors investigators clerks and other employees as may be necessary for the proper conduct of the work of the division provided that the Secretary of Mines shall so appoint at least one competent engineer or geologist with a degree in petroleum engineering or geology from a recognized institution of learning and at least one competent mining engineer with a degree in mining engineering from a recognized institution of learning and each having at least four (4) years practical experience in their respective fields At all hearings under Article III there shall be present in addition to the person conducting said hearing at least one of the aforesaid gas engineers or geologists and at least one of the said coal mining engineers who shall consult with the person conducting said hearing and make recommendations to him respecting the matter under consideration

(d) Except as otherwise specifically provided in this act the division and its employees shall be subject to all the provisions of the administrative code of one thousand nine hundred twenty-nine approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) its amendments and supplements which apply generally to administrative departments and offices

Section 42 Duties (a) The oil and gas division may review the maps and data filed under sections thirty-one and thirty-two hereof for the purpose of determining the accuracy thereof Where any question is raised by any interested party as to the accuracy of such map or data the division shall immediately hold hearings thereon and shall by an appropriate order require the person filing such map or data to correct the same if they are found to be erroneous If within ten (10) days following the date upon which the person operating a storage reservoir must cease to inject gas into such reservoir as provided in section thirty-four such person filed with the oil and gas division a petition alleging that the gas stored in such reservoir which he is required to remove under section thirty-four within the standards therein set forth cannot be removed within the nine (9) month period provided for therein without seriously impairing his ability to serve the public the oil and gas division may after an appropriate hearing by an appropriate order extend such nine (9) month period if such extension is found to be consistent with the purposes of this act to a period of eighteen (18) months or such additional time beyond eighteen (18) months as the division may determine as being necessary to carry out the obligations imposed herein If the appropriate notice has been given under subsections (b) or (c) of section thirty-three and subsequent to the giving of such notice the extending of the projected workings or the proposed establishment or re-establishment of the particular operating coal mine are materially delayed or altered so as to extend the time within which said operating coal mine may be expected to be within two thousand (2,000) linear feet of such storage reservoir the person owning or operating such operating coal mine shall so notify the oil and gas division and the division shall by an appropriate order extend the time within which the gas in such storage reservoir must be removed by the additional time which will be required to extend or to establish or re-establish such operating coal mine to or at a point within two thousand (2,000) linear feet of such storage reservoir

(b) It shall be the duty of the oil and gas division to receive and keep in a safe place for public inspection any map report notice or other writing required to be filed with it pursuant to the provisions of this act the division shall keep such indices of all such information as will enable any person using the same to readily locate such person who filed the same or by the person or persons affected by such filing or by the geographic location of the subject matter by political subdivision the division shall also keep a docket for public inspection of all proceedings in which shall be entered the dates of any notices the names of all persons notified and their addresses the dates of hearings and all orders decrees decisions determinations rulings or other actions issued or taken by the division and such docket shall constitute the record of each and every proceeding before the division

(c) The oil and gas division shall have authority to make any inspections and investigations which it shall deem necessary or desirable to perform its functions under this act

Section 43 Hearings and Appeals (a) All hearings before the division shall be public and shall be conducted in accordance with such regulations and such provisions as to reasonable notice as the division may prescribe All testimony taken at such hearings shall be under oath and shall be taken down by a reporter appointed by the division and the parties shall be entitled to be heard in person or by attorney and to introduce evidence and to examine witnesses the oil and gas division may present at such hearing any evidence which is material to the matter under consideration and which has come to the division's attention in any investigation or inspection made pursuant to provisions of this section

(b) After the conclusion of hearings the division shall make and file its findings and order with its opinion if any a copy of such order shall be served by registered mail upon the person against whom it runs or his at-

torney and notice thereof shall be given to the other parties to the proceedings or their attorney

(c) The division may at any time after notice and after opportunity to be heard pursuant to notice as provided in paragraph (g) of this section rescind or amend any order made by it any order rescinding or amending a prior order shall when served upon the person affected and after notice thereof is given to the other parties to the proceedings have the same effect as is herin provided for original orders but no such order shall affect the legality or validity of any acts done by such person before receipt by such person of the notice of such change

(d) The division shall have the power in any part of the Commonwealth to subpoena witnesses to administer oaths to examine witnesses or to take such testimony or compel the production of such books records maps plats papers documents and other writings as it may deem necessary or proper in and pertinent to any proceedings investigation or hearing held or had by it in case of refusal to obey any subpoena issued to any person any Court of Common Pleas within the jurisdiction where the hearing is he.d or within the jurisdiction where the person guilty of refusal to obey is found or resides or transacts business shall on application of the Deputy Secretary or his authorized representative have power to enforce such subpoena as in contempt proceedings The fees for serving a subpoena shall be the same as those paid sheriffs for similar services

(e) The division or any party to proceedings before the division may cause the deposition of witnesses residing within or without the Commonwealth to be taken in the manner prescribed by law for taking depositions in civil actions

(f) Witnesses who are summoned before the division shall be paid the same fees as are paid to witnesses in the Courts of Record of general jurisdiction witnesses whose depositions are taken pursuant to the provisions of this act and the officers taking the same shall be entitled to the same fees as are paid for like services in such courts

(g) No person shall be excused from testifying or from producing any book document map plat or paper in any investigation or inquiry by or hearing before the division when ordered to do so upon the ground that the testimony or evidence book document map plat paper or other writings required may tend to incriminate him or subject him to penalty or forfeiture but no person shall be prosecuted punished or subjected to any forfeiture or penalty for or on account of any act transaction matter or thing concerning which he shall have been compelled under objection to testify or produce documentary evidence provided that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony

(h) Within ten (10) days after the service of any final order decision determination or ruling (or if a petition for rehearing or reconsideration is filed then within ten (10) days after service or the order of the division refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom such appeal shall be taken to the Court of Common Pleas of the county wherein the land or other property right affected is located or to the Court of Common Pleas of Dauphin County if at the time of filing of any such appeal the court is not then in session the President Judge of said court or any two Judges thereof shall order holding of court upon petition of a dissatisfied party for the purpose of hearing this appeal Parties interested joint'y severally or otherwise in the same order decision determination or ruling may join in an appeal therefrom even though all of the intersted parties do not join therein

(i) The procedure applicable to appeals from any final order decision determination or ruling shall be in accordance with the rules of civil procedure promu'gated from time to time by the Supreme Court of Pennsylvania except as otherwise provided herein any party who proceeded before the oil and gas division under the terms of this act shall not be precluded from questioning the validity of said act in the appeal but such party may not raise upon appeal any other question not raised before the oil and gas division

(j) The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the oil and gas division in any such appeal The findings of the oil and gas division shall if supported by substantial evidence and in the absence of fraud be conclusive and any such appeal shall be given precedence over all other matters except matters of the same character If the order of the oil and gas division is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the oil and gas division for further disposition in accordance with the order of the court

(k) The oil and gas division or any party affected by any decision of a court on an appeal from an order of the oil and gas division may within thirty (30) days of the filing of such decision appeal to the Supreme Court No appeal taken from the order of the oil and gas division or from the said court shall act as a supersedeas to any such order during the pendency of any appeal therefrom

Section 44 Enforcement (a) The courts of common pleas of the county or counties wherein the operation is situated shall have power by injuction or otherwise upon petition of any interested person to enforce compliance with or restrain violations of any provisions of this act and to hear suits brought pursuant to the provisions of subsection (c) of section thirty-three

(b) The Attorney General of the Commonwealth may apply to the Court of Common Pleas of Dauphin County or to the court of common pleas of the county or counties wherein the operation is situated for relief by injunction or otherwise to enforce compliance with or restrain violations of any provisions of this act The Court of Common Pleas of Dauphin County is hereby vested with jurisdiction to hear and determine all such actions by the Attorney General regardless of where they may arise in the Commonwealth

(c) The remedies prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy and the existence or exercise of any one remedy shall not prevent the exercise of any other remedy

Section 45 Effective Date The provisions of this act shall become effective thirty (30) days after final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, today in front of us we have one of the most controversial measures that has come before the House this year.

We who come from the bituminous coal area of Pennsylvania and are supporting this type of legislation desire to present our case to you in this modern day and age as it exists in the coal fields of Pennsylvania.

We are not opponents of gas; we are users of gas. We believe that the gas industry is one of the best industries in our part of the state also. In the bituminous coal fields of Western Pennsylvania, under the modern system of coal mining as it exists today, you will find that as machines that are used in this industry endeavor to creep forth and dig out coal for the consumption of this nation, they seek no questions when they crawl forward.

Under the modern system of mining, you have before you a serious problem regarding the safety of individuals employed in the producton of coal.

House Bill 1240 in our opinion is the first step that has been taken in a great number of years to set up an estab-

lished procedure regarding many items that are desired by both the coal industry and the gas industry. House Bill 1240, as it is printed in front of the Members of this House, consists of a plan for the plugging of gas wells, the recording of gas wells, and also mapping, which is most important.

Today and every day in the modern age of the mining of coal there has been occasion after occasion where these large machines have cut into casings in the production of coal. It has been the good fortune of those people working in that mine that those gas casings and wells had such low gas content. or none, that nothing happened. This has happened many times, which can be verified by the reports that can be found in the Department of Mines.

In my county, which is a developing county in bituminous coal industry, we have had an occasion at the company where I am employed, one night on the third shift a cutting machine cut straight into the casing of a gas well. There was no record upon any map. There was no indication on the land on the outside. The oldest inhabitants of the area could not remember when this well had been placed there nor who had drilled it. Yet, the casing was there, down through the seam of coal.

Had this well had gas of any pressure, it would have been only a question of a matter of a second—not of minutes, not of hours, only a question of a second. Either there would have been a fire, an explosion that would have suffocated everyone, destroyed all human beings in there, or it would have been an escape of gas without a sufficient amount of air so that each and every individual in there would have died.

You can only put so much air in a mine. That is required by law. That amount is there. When you run into a gas problem you then are not capable with your equipment to put air in there.

In the natural formation of coal, there have been found to be various faults. There have been crevice seams that creep from way within the depths of the earth, up through the rock, up through the coal and up through the rock above. No one knows in what direction it goes or where it comes from. From these seams it could be very possible that gas could seep through the crevice movement of the earth so that something could happen.

One of the main features of this bill is the recording and the plugging and the drilling.

I am not capable of saying who wrote these features into the bill, but I am sure the sponsors will dwell upon that subject.

We in the coal industry are not opposed, and never will be, to the gas industry. Many times it has been said that we are trying to seek back a market which is lost forever.

Our industry, the major portion of it that operates in Western Pennsylvania, has a market that is of the commercial type. The balance of my county, almost all of it, is of the captive type. By that I mean that all the coal produced from those mines is sent to the main concern or the outfit operating in the manufacture of coke and steel. It is not an open market coal. You are not capable of buying it. Only those individuals employed there are.

We do not seek to pass any legislation that is unjust or will tend to destroy any other industry. We believe, and we sincerely believe, that House Bill 1240 will set up under the present day system a safeguard so that those individuals, yes, human beings like you and me—I myself, am employed by a concern in the repair of the large machines that they use in the operation of a bituminous coal mine. Those machines are monsters within themselves. They can go right through the rock, right through the coal, right through the casings.

There have been arguments that never has a well of any kind been cut into that had any gas, that anyone was hurt, that anyone was killed.

If it takes someone to die to make that type of law, I want no part of it because they are just like you and me. They ask nothing in return; they are giving nothing, only themselves.

This type of legislation, such as House Bill 1240 gives you today, will not curb in our opinion any of the operations of a gas company but they will tend to expand as they have expanded in the past. The coal industry will stand upon its own merits. We who come from the coal fields believe that the future is still there, that the industry is not a dying industry but is only at a leveling stage after a period of great demand.

House Bill 1240 in the amendment has established a gas and oil division. If you will take time to read the bill and study it carefully, you will see that the provisions are in the bill to set up every possible procedure to certify the coal pools that exists under the bituminous fields of this Commonwealth.

Under this bill, and in support of this bill, it is our firm belief that this type of legislation has been overdue from the day of the storage of gas.

We are not opposed to gas, as I stated before, in fact we are for the gas fields because the gas fields in turn bring revenue to this Commonwealth and revenue to the individual farmer, the landowner and every one else connected with consumption, or royalty or the drilling of wells on their properties.

We support that theory as well as ask for the safety of those individuals.

This measure may be classified in many respects, but this we classify, in all sincerity, that this measure is truly a safety measure designed to set a safeguard on the present-day modern system of mining in the bituminous coal fields in this country. In regard to the safety of individuals employed therein, the passage of this bill will do more than any other piece of legislation would to safeguard the lives of those individuals employed in the coal industry.

I sincerely urge every Member of this House to give this bill very serious consideration, so that they may be able to see justifiable reasons for supporting this particular piece of legislation today.

Mr. TOMPKINS. Mr. Speaker, I rise in opposition to this bill as it is written. Let it be known that we are not arguing or quibbling about safety, because we have no desire to create any condition which might become dangerous to miners in their work. We are just as much interested in their safety as we are interested in the safety of those who are gas consumers. There is safety to be considered on both sides.

To give a little background on gas storage, may I tell you that Pennsylvania produces only one-third of the natural gas now required to service the demands in Pennsylvania. That is for industrial and domestic consumption.

The remaining two-thirds is piped from the Southwest

and put in storage fields. There is a network of transmission lines including the Big and Little Inch from the Southwest which brings this gas in here.

Now many have the conception that gas was not piped into Pennsylvania and stored in Pennsylvania prior to the Big and Little Inch. This is not so. Transmission lines for that purpose were installed prior to the time the installation of the Big and Little Inch.

Underground storage of gas began a quarter of a century ago and today has developed into a major industry in this state upon which many industries must rely for operation, upon which many domestic consumers, such as homes, hospitals, schools and others rely for heating purposes.

In circulars which you received during the course, or since this bill had been first proposed, you have been told that only six percent of the gas storage in this state could probably be affected by this bill. Now this is not so. The six percent referred to by the coal interest applies to the ultimate capacity of all the gas in storage areas in the entire state, and not to the coal areas alone.

In the storage areas presently being used there are storage facilities for 174 billion cubic feet of gas as of November 1952. Under this bill 69 billion cubic feet of gas could be immediately affected. This represents not 6 percent but 39 percent of the present storage facilities available and in use in the state of Pennsylvania at the present time.

Coal industries proclaimed what could happen by reason of gas storage if this bill is not passed. They cite one instance of several years ago when several men were killed in a coal mine. A coroner's jury and an investigation by the Pennsylvania Department of Mines, copies of which were sent to all the Members of the House, shows that this incident was caused by a faulty door in the mine and not due to any leakage from the storage of gas.

The possibility of what could happen in the coal mines is equally as strong as to what could happen to the gas consuming public if 69 billion cubic feet of gas would be cut off.

First of all, just where would the gas people start to cut off or curtail users of 69 billion cubic feet? Secondly, with the reduction of this much pressure, just what could happen over the entire distribution system of two million consumers in case of gas failure?

In 1947, I sat as a Member of this House, as well as a number of others, and we passed legislation which was known as the first smoke control or air pollution bill in the state of Pennsylvania. As a result of this bill many thousands of people were compelled to convert their heating from coal to gas or oil or other types of fuel. Are we now in this General Assembly going to say to these same people that we are going to pass legislation that would require them to convert to still some other type of fuel and place that unnecessary expense upon them?

No method has as yet been devised in this state whereby gas can be stored in underground pools other than in those places where gas had previously been. Considerable of this area underlies the coal areas in this state. Nature saw fit to put them together.

Man in his finite wisdom is attempting by this bill to compel their separation without any place for the divorcee to go. Gas is not placed in these sands at any greater pressure than existed in the original instance.

A fact which was not mentioned by the previous speaker on this bill is to the effect that this bill in no way would regulate those sands from which gas had already been removed, but which is not presently being used for storage fields. Neither would it regulate those areas where gas still exists, although not in a storage manner, but where it still remains where nature put it.

This bill is designed to regulate only those areas where the storage fields exist.

Now, let us get a little more specific about House Bill 1240. When you put a casing down through a coal seam, this bill provides on page 16, that the maximum pillar which you must leave around that casing is 150 feet. Not less than that, but 150 feet. Now it just so happens that in some of the storage areas today it is found that for safety purposes more than 150 feet of collar is necessary for safety purposes. Many of them carry a larger collar than 150 feet. If you refer to page 16 of this bill, you will find that the limitation is 150 feet, it cannot ge beyond that.

They talk about the eminent domain feature of this bill. But in the eminent domain section of the act, coal was carefully exempted, where there is no coal mine operating at the present time. We should be permitted to acquire coal at a fair price and under reasonable conditions so as not to work a hardship on the coal owners. Where no mine exists at the present time within a reasonable distance of the storage field, there can be no question of safety involved if the mine is never permitted to come into the storage field, or within a reasonable distance of the field. If you will refer to page 44, line 16, you will find that subject covered.

The act requires that a gas company having a storage field under a coal mine secure a certificate in order to continue injecting gas into that field. Two 180-day periods are provided in which the certificate must be secured. At the end of that time, if the Department of Mines has not issued a certificate, the further injection of gas into the field is forbidden and the gas company must start reducing the amount of gas remaining in the storage. The public interest is entirely too great to be terminated so abruptly due to the lack of a certificate when failure to have a certificate may be definitely due to failure to act by the Department of Mines.

The bill should provide for an indefinite extension of the privilege of storing until the application for the certificate is acted upon.

However, even though pools are a safety measure, there is no restriction whatever upon the mine continuing to operate while the Department is considering the application for a certificate. By the same token the gas company must start removing its gas if it exceeds that two 180-day period.

No power is vested in the Department to require the coal company to open up another shaft in another direction, pending certification, and yet the bill is supposed to be a safety measure.

What is the bill? In our opinion it is an economic measure. Coal has for years attempted to prevent the expansion of gas company facilities in the interest of coal.

On page 43 of this bill, there is a provision for testing a new area to determine its fitness for a storage field. But

note however, that approval of the coal operator is required, and only after that approval is secured can the gas people go to the Department of Mines and seek approval or disapproval for its district.

If the coal people do not care to grant the right of testing to the gas people, the gas people have no recourse, but to go to the Department of Mines and ask for that approval. What would a coal operator have to gain by permitting the gas people to establish a new storage field?

On pages, 33, 34 and 36 the bill provides for certification, including existing pools, only upon meeting certain standards, such as a showing that every reasonable possible means under the circumstances had been used to locate the abandoned wells. Nobody knows what we might be required to do in that connection. Would we be required to strip off the top three or four feet of a very fine farm in order to locate a well that somebody stated was located there years ago? Must we start chasing down every rumor that might come up in order to be able to establish that fact?

The filing of maps places an enormous burden on the gas people to prove that the maps are true and correct. This is highly extraordinary. The usual rule is that the party objecting to the maps must show what is wrong with them, then you defend your map against the contentions. In other words if somebody accuses me of having had a revolver in my pocket last night, according to this theory it is my duty to prove that I did not have one and not the duty of my accuser to prove that I did have one.

If a certificate is not secured within the two 180 day periods referred to in 1-c in the bill, the injection of gas for storage is forbidden, with the result that after a winter's withdrawal for all intents and purposes the field is no longer a storage field.

Section 34 (f), page 37, provides that where there is an operating mine over or within two thousand feet of a storage field, pressures exceeding 90 percent of the hydrostatic pressure are permissible, provided again that you first secure the approval of the coal operator and then the Department of Mines. But you cannot get in to the Department of Mines until the coal operator first says. "We will agree to let this thing go in there." The gas people have no right of original entry into the Department of Mines without the approval of the coal interests.

The approval of the coal operator could never be secured and in a pure safety bill the only test would be whether it was safe or not, and the Department to pass on the question of safety should be the Department of Mines or some other appropriate body, never the coal operator.

The bill puts the regulation of gas storage when under or near a coal mine, under the jurisdiction of the Department of Mines. It is our opinion that any such regulations should be under a body such as the Pennsylvania Public Utility Commission, which is charged with the responsibility of all of the public, including miners, and would necessarily therefore weigh the relative needs of various segments of the public in making a decision, rather than under the Department of Mines, which by its very nature can be concerned only with one segment of the public, namely, the miners and the mine operators.

The Public Utility law of 1937 says in effect that the Public Utility Commission has the right on its own initiative, or on complaint, to hold hearings and issue orders to see that the service and facilities of a utility are adequate and safe and so forth. Under this law we believe the Public Utility Commission has all the necessary power to accomplish the purported objects of the bill.

We are, therefore, forced to the conclusion that this bill is essentially an economic measure and a very definite attempt to restrict the operations of the gas industry.

The bill requires that a storage field be certified for use whenever a coal mine is over or within two thousand feet of a storage field, and sets certain standards that must be met before such certification can be obtained.

If regulation is necessary, we believe that the body enforcing the legislation should have the power to specifically direct that certain things be done in order to make a storage field safe, rather than require the certification in order to continue operations.

It is interesting to note this. If a coal mining operation approaches within two thousand feet of a gas storage pool, the gas storage pool must then start to take gas out of the ground. The coal interest can continue their operations. There are no restrictions or compulsions to make them stop within that area until such time as they can get certification.

I would just like to propose this question to you along that line: if a coal mine employing five men, interferes with a gas storage pool serving thousands of homes and industries, why not compel the mining operations to stop two thousand feet from the gas reservoir until such time as the certification can be made?

You have heard heretofore about certain efforts being made to reconcile the differences which exist between the various interests involved in this bill. I might tell you that efforts were made along that line, but they collapsed. The essential elements of these points of disagreement I have already pointed out to you in the objections which we have raised to this bill.

I do not want to consume too much of your time here in dwelling on that phase of it, because the fact remains that the negotiations did break down. I would like to call your attention however to several items along that line.

The United States Deparment of Interior, Bureau of Mines, in a letter under date of May 6, states as follows with reference to the fatalities in your coal mines from gas storage leakage. They state they know of no case in which an explosion in a coal mine has been due to storage of natural gas in pools underground. There has been suspicion of this, but no evidence.

On the other hand we know of several cases in which subsidence resulting from mining damaged vast pipe lines on the surface, and the escaping gas entered the mines through broken ground.

In another case gasoline from a pipe line leaked into a mine. We have this from H. P. Greenwald, Regional Director of Region No. 8.

Now let us face this issue from another standpoint. It is to the interest of the gas people to very thoroughly chart, explore and examine any field in which they store gas, to see that there is no leakage, because they have to pay good money for this gas. Any gas that leaks means that they are losing that much money. Therefore it is to their economic advantage to see that there is no gas leakage. That has applied throughout the development of the gas storage pools in the state of Pennsylvania, a fact which seems to have been overlooked. They have used

every safety device possible in order to accomplish that purpose.

If you will refer to this bill in connection with the plugging features you will find that they require plugging only in the coal areas, not throughout the entire state of Pennsylvania. Now a good plugging law is necessary in the state, and we think that one should be adopted by this Legislature, but that provision is not contained in this bill, because it refers only to the coal mining areas.

Another factor which is involved in this matter is the fact that the gas storage pools are under the supervision of the Federal Power Commission. The Federal Power Commission allocates gas throughout the United States. If there is any uncertainty as to what might happen to these gas storage pools, the Federal Power Commission does not allocate the gas, therefore these gas storage pools might not be able to get the gas with which to service the public with which they are already connected.

Every way you look at this matter, it is an attempt to curtail the expansion of the gas storage pools, as well as to reduce the gas storage areas which are already in existence in this state.

As a final piece of information, I merely want to give you this, as I think it is very important. The original bill covering this subject was introduced in this House on March 9. It was not this bill; it was a previous bill. On March 23, a matter of two weeks afterwards there was filed in the courts of Greene County of this state, a suit by certain coal interests against certain gas interests, seeking to forbid their use of gas storage pools. In that law suit they are asking that these questions be determined among others. This is a direct quote from the Bill of Complaint filed by the coal interest in that case.

> Plaintiffs aver, (the plaintiffs in this case being the coal interests) as aforesaid that defendant's (the gas interests) said underground gas storage operations represent a direct and ever-increasing hazard to their employees, to the mining operations in which said employees are engaged, and to plaintiff's aforesaid mine properties; that defendant's storage of gas beneath certain surface areas owned by plaintiffs constitutes an artificial use of the land, . . . that defendant in so storing gas has created and brought to plaintiffs a hazard for the consequences of which it is absolutely liable.

Now Members of this House, they have gone to the Legislature, they have gone to the courts. I do not know what other avenues are still open to them to have this very same issue and question determined.

The courts have time, it was part of their duty to listen to expert technical engineering men in connection with these problems and to determine the issue. Because of the fact that the courts have the facility to determine those matters and there is a case pending at the present time, that was entered after this first bill was introduced in this Legislature, I suggest to you that we have no business determining issues which are now before the courts which have better facilities to determine the question then we have here.

Mr. POLEN. Mr. Speaker, I rise today in support of House Bill 1240. I think this bill is very important to the people of Pennsylvania. I know it is particularly important to the people of Washington County. Washington County is the greatest coal producing county in this Commonwealth. It is also one of the great gas producing counties and is also one of the counties that has great underground gas storage pools.

I have listened to the gentleman from Cameron, Mr. Tompkins. Much of the information he gave to the House was a reiteration of the facts that were given by the gas industry at the public hearings. I am not going to delve into that, but I am going to say that in Washington County on the first day of June, the Chamber of Commerce held an open public forum where both the coal interests and the gas interests were invited to present their case.

This forum was held due to the fact that the county had been flooded with propaganda by the gas companies, by newspaper advertisements, by notices with their gas bills, and by word of mouth that there was a tremendous danger that the gas supply would be curtailed or completely cut off in case the Kent Bill passed.

After listening to practically the same evidence which had been presented by the gas companies at the public hearing, and again by the coal companies, I asked the question of the Vice President of the Manufacturers Light and Heat Company, that has the large storage pools in Washington County and is one of the largest distributors of both retail and wholesale in this Commonwealth, I asked the question—first, before asking the question, I asked him if there was anyone in authority who could speak for the gas industry. Mr. F. W. Batten, Vice President and General Manager of the Manufacturers Light and Heat Company replied that he was in position to speak with authority.

I asked him the question, in the event the Kent bill passes the House and the Senate, is signed by the Governor and becomes law, will it immediately affect in any way the gas supply to the people of Washington County and western Pennsylvania. He replied that it would not.

Then I asked him the question, would it affect the gas supply in the foreseeable future, and he replied that it would not.

This information was published in some of the Pittsburgh papers in the early edition but for some reason did not appear in later editions.

I am very familiar with both the coal industry and the gas industry in western Pennsylvania. We produce in Washington County over 13 million tons of bituminous coal. The greater part of that coal is not in competition as fuel for home heating or industrial use. It is primarily captive coal for use in the steel mills. So I do not believe there is any effort on the part of the coal industry to try in any way to curtail the use of natural gas.

I think this Kent Bill, House Bill No. 1240, in reality will do much to further the cause of having sufficient storage pools to take care of the needs of the people.

Personally, I have a gas furnace in my home. I heat my office with gas and I would not want to do without it. I think it is a fine fuel. I have interest in natural gas wells in our county and other counties, and I certainly would not want to see that industry curtailed.

I want to say to you here today, that we do have to look beyond just the consumer and the interests. We have to think, I believe, of the men who go down into the bowels of the earth, hundreds of feet underground and in many cases miles from their place of escape. We

have to think what might happen in case they did have an explosion.

Much has been said, and the point has been well raised, that in 15 years' experience we have not had an accident. I say we should thank God that we have not had one. I think this bill, the mapping and the plugging provisions of this proposed law, are excellent.

In the State of West Virginia, our sister state, they have for many years had an adequate law that caused a survey to be made, proper maps to be made, and plugging, under the Department of Mines.

I have confidence in the Department of Mines. I think they will administer this law fairly; and when we think of the restrictions that have been placed upon the coal industry in the way of safety, there are literally hundreds of safety measures and safety laws on our statute books to insure the safety of the miners.

I think if there is a real hazard in modern mechanized mining, it is different from what it was even five years ago. Under the conditions under which we operate today with the continuous mining machines, the hazard that we would have if one of those machines would go into an uncharted well, I shudder to think of what would happen if we would have a major explosion. I hope and pray that we never will have one. If we should have such a catastrophe, I would say that the gas industry would receive legislation as stringent as House Bill 586 originally proposed.

I am not going to debate any remarks except one statement that was made by the gentleman from Cameron when he mentioned 150 feet. That is true, that is the maximum provision provided and is mandatory in this bill. But it also says in line 20, page 16, "The well operator shall at all times have the right to negotiate and agree with the coal operator for the leaving of a pillar larger than that which the coal operator is required to leave by the provisions of this section."

At this forum that we had in Washington the gas people made much of the fact that they had always been able to negotiate. Gas storage is comparatively new, but I think the time has come when we should put a law such as this on our statute books. I think the danger is real. We are fortunate that we have had no major accidents, and I think the time has come, and I appeal to the Members of this House to support this legislation.

If I thought for one minute that the gas supply of the people of my county and of this state would be curtailed by the enactment of this legislation, I would oppose it. I am convinced, and I live in Washington County where, as I have said, the largest gas pools exist.

I want to say further that Washington County and Greene County have the largest acreage of the Pittsburgh vein of coal left in Pennsylvania. In the years to come it will ultimately be developed.

I think it is incumbent upon this Legislature to put on the statute books now this law which will provide that the survey shall be made, and there shall be planning, and the well operators shall do this and give the information and put it on file here so that in the future the gas pools can be extended, and we will not have the danger that we face today. The real danger is from the uncharted wells, the wells that have been drilled of which there is no record.

I am not going to take up any more time. I am simply going to say to you here and now that this is a good bill. It deserves to be passed by this House. Just think of the thousands of men who go down into the bowels of the earth to mine the coal. We are also giving to the people who use gas a law that will protect the storage pools of the future.

I appeal to you ladies and gentlemen, to vote for this bill.

Mr. LEONARD. Mr. Speaker, personally, coming from the western part of the state, I consider this one of the most important bills before this House outside of the tax legislation.

I have received more communications such as registered letters, telegrams, telephone calls, postcards than I have received in the last ten years that I have been a Member of this House. You know where those telegrams and letters and telephone calls came from? They came from people who have told me that they have just been able to convert to gas and not because of the fact that they were unable to do down and maintain a furnace to keep their house warm.

I have received those communications as all of you have received them, and I presume you know just what the situation is. You should realize, and especially those from the western part of the state, that in the last ten years thousands upon thousands of new homes have been built or bought by working people, and with the hope of making home life a little more pleasant for the wife and family, they put in a gas-heating system. Down in the basement is a modern up-to-date gas-heating system; upstairs in the kitchen is a gas stove. Any time the weather drops below freezing or near to zero, they could not even get the children up the next morning. They had to keep them in bed to keep the house warm. Factories all over Allegheny County shut down when that condition exists, and it exists pretty regular in the winter months.

The only thing that I have up to the present time been able to find that the coal operators are interested in with regard to House Bill No. 1240 is the safety of the coal miners. That is a laugh up my sleeve. That is the biggest joke that ever I have heard come before this House. It took them 15 years to find out that storage gas was dangerous. According to Mr. Tompkins, nothing has developed yet where they can blame it on storage gas. That is trying to kid the people. Millions of people in western Pennsylvania would have to go down in their pockets and try to find a new way of heating their house and doing their cooking.

Thousands and thousands of people in western Pennsylvania in the cold spells go home; they do not work. Ask me. I know what it is; I was there. As for the coal operators—I am very glad to learn that he is interested in the coal miners. Nobody here within the hearing of my voice wants to do anything that would be dangerous to the coal miner because we all know how dangerous their work is—and it is. They have improved the work, as it has been outlined here by previous speakers, but the fact that it took them that long to find out that storage gas was dangerous to those coal miners just does not go down good with me.

Sixty some years ago—I hate to say it this way; they will think I am too old—before the United Mine Workers was organized, I worked in the coal mines. I had to be

there at five in the morning and I left at eight and eight-thirty at night, never saw daylight; only on Sunday. That is the reason I am so surprised today that the coal operator is interested. The improvements in safety that have been placed in the coal mines have been placed there through the United Mine Workers and whatever they have done through politics. Prior to that time, before the United Mine Workers, a coal miner went into the mines not expecting to go back home and see his wife and children again. That is how dangerous it was in the coal mines. I am not speaking from what somebody told me, but I am speaking from actual experience of being in a coal mine.

I am asking the people of this General Assembly who have received all these communications to think seriously of the thousands of these people back in the western part of the state and the thousands and thousands of workers who have to go home when they do not have gas. Think of them before you vote in favor of this bill.

Mr. VAUGHAN. Mr. Speaker, I rise to congratulate Mr. Leonard on his speech. It was very well said and very well taken, I believe, by most of the Members of this House.

During the session of 1947, the Democratic administration in the city of Pittsburgh and Allegheny County saw fit to ask this body down here to give them what is known now as the smoke package bill, the Pittsburgh package. In that was the smoke control law. At that time I voted for the bill. I thought it was a good bill and I still think it is a good bill. It has done wonders for Pittsburgh, and it is going to do wonders for Allegheny County as the bill is now becoming effective in Allegheny County.

Last year, or rather in the year of 1952, there were 1324 homes built in metropolitan Pittsburgh. Most of these homes were equipped with gas furnaces. Since the report came out about the Kent bill in the year 1953, we have only had a little over 700 homes started for the simple reason that people cannot get applications for gas furnaces. They were scared to continue building for the reason that they do not know whether they will get gas. I know that in the past year at my home during the cold spell when the gas was low, we practically had to move into two rooms to keep things going, that is, to keep heat in the house.

I understand from the coal people themselves, from the papers that they have sent around to the Members of House here, that if this bill becomes a law the least that the gas would be cut wou'd be 6 percent.

As Mr. Tompkins told you, that only took in the coal areas, actually it would be about 39 percent. Well if it does, you can rest assured that our people, all the working people that bui't these homes, would have to reconvert back to coal. The price of coal today, especially the coal you have to use there, the smokeless coal, I guarantee that at the salaries they are making—and myself as a Member of this Legislature at $125—they will have a heck of a time reconverting back to coal.

So I ask each and every Member of this House in respect to the city of Pittsburgh and Allegheny County, which is progressing since we passed that package bill in 1947, that they continue to let us progress by defeating this bill.

Mr. FILO. Mr. Speaker, I heard Mr. Polen state that if his county was affected by the lack of gas, he would vote against the bill.

I come from a district that is highly industrialized, and I might say that the county I live in is the greatest industrial county in the world, and I do know that during cold spells in Allegheny County and in my district, steel mills and industries were shut down during that time so that there would be a sufficient amount of gas to heat the various homes.

When the mills shut down, in my district that means man-hours lost. That means money lost; no bread and butter on the table. Because of this fact, I hope the Members of this House do vote this bill down.

Mr. KENT. Mr. Speaker, I do not want to prolong this debate any longer than necessary, but since I am the guy that at least has been painted by the gas industry as some sort of a hideous monster who is going to freeze out all of the gas consumers and all of industry in the state of Pennsylvania, I do feel that I must vindicate myself, present my side of this story and clear up a few misrepresentations that have been made.

I do want everybody in this House to know that this is purely a safety measure. It is purely a measure to overcome a hazardous condition, one that is recognized by the gas industry itself as a hazardous condition. It is not an economic measure to do away with competition.

I can say that the coal people certainly recognize the fact that the coal business for home consumption or space heating is gone so far as they are concerned, and that it has been replaced by gas and oil.

To make that point clear, it seems incredible to me that if this hazardous condition were not true and did not exist, it is indeed incredible that the gas industry would sit down in conference with the coal people for a period of at least a year prior to the beginning of this Session of Legislature.

It seems incredible to me that even after the bill was introduced, the first one, that those people would sit down and that the gas industry would confer with the coal people in an effort to solve the problem and arrive at a reasonable solution so that the hazard would at least be at a minimum.

It seems incredible to me that this is not a hazardous held on this bill, an associate of the United States Bureau of Mines, one Mr. Walker, would appear before that Committee and state that this type of legislation was needed to overcome a hazardous condition which existed; that under all the circumstances as they exist today in Pennsylvania, as well as other states in the United States, that cooperation between the two industries was not enough and was not sufficient. Those were Mr. Walker's statements.

It seems incredible to me thatthis is not a hazardous problem and not a problem concerning a hazard, but in a publication put out by the United States Bureau of Mines in December of 1952, that in that publication they would include this statement:

> It is to be expected that coal-mining men should be alarmed by any possible increase in liberation of explosive gas in their mines. That they should want positive proof that gas stored in the ground cannot enter their mine workings is equally to be expected.

It seems incredible to me that as recently as June 9, of this year, at the convention of the Mine Inspectors' Institute of America, they would adopt the following resolution:

The Mine Inspectors' Institute of America, at the

Forty-Third Annual Convention in Birmingham, Alabama, on June 8 and 9, 1953, taking notice of the rapid extension of the storage of natural gas underground and recognizing that such practice has certain advantages under proper regulations, and possibly great dangers when such storage areas are close to coal mines; be it

Resolved that the Institute go on record in favor of such regulations as may be necessary to protect the health and safety of miners from gas migrating from storage areas to active mines.

That is the resolution of the Mine Inspectors' Institute of America.

It seems incredible to me that a man by the name of Harold J. Rose, of Pittsburgh, Pennsylvania, would write the following letter which I want to read to you, because he is a man that should know what he is talking about. He wrote this letter, of which he provided me with a copy, to Mr. A. W. Conover, President of the Equitable Gas Company of Pittsburgh.

Dear Mr. Conover:

As a customer of your company I have just seen a copy of your undated form letter regarding the Kent bill.

I have been a member of the American Gas Association continuously for more than 30 years and have been active (including chairmanship) of several national committees on gas. I am likewise informed technically on coal matters and am a Registered Professional Engineer in Pennsylvania.

With this background and knowing the provisions of the present Kent bill, I was greatly shocked by the misrepresentations in the letter to your customers, most of whom are not in a position to learn the truth. Failure to enact legislation equivalent to the Kent bill can result in tragic disasters. You and your associates do (or should) know this. Your own company had a terrible gas storage disaster in northside Pittsburgh some years ago.

I consider a letter such as the one you sent to subscribers (and certain advertisements) to be a flagrant abuse of your company's position as a public utility.

Legislation of this sort should be treated honestly and fairly to protect Pennsylvania's citizens and industries.

Sincerely yours,

HAROLD J. ROSE.

Most of all I am so confused, and it seems so much more incredible to me when it is argued, and such a big issue has been made that this is purely an economic situation and not one which involves the safety of a great many people who mine our coal, that I should happen to pick up a brochure prepared by the Pennsylvania Natural Gas Men's Association, very recently, I believe for the consumption of House Members to promote and to encourage the enactment of an eminent domain bill for the gas industry. When I read the following paragraph from this brochure as I say, I became most confused. Let me read it to you.

As for the wells themselves, it must be remembered that for 70 years or longer gas has been found in wells which passed through coal measures, whether virgin, producing or abandoned. This is a fact which must be realized if the natural gas is to be recovered, and gas and coal interests have always had to accommodate themselves to each other's operations. An active or an improperly abandoned gas well may become a hazard in mining operations. It has long been recognized that the coal companies must provide against this hazard in the interest of allowing the public the use of the natural gas which nature has stored below the coal. Irrespective of whether they are to be used for storage, old wells which were improperly abandoned and of which there are no adequate records constitute a hazard in coal operations.

That ladies and gentlemen is the wording of the Pennsylvania Natural Gas Men's Association so far as gas storage underground, gas storage under operating coal mines is concerned.

So do not be confused and do not believe that this is an economic measure, that there is no hazard. A great point has been made of the fact that for 15 years there has never been a life lost or an injury because of an explosion caused by gas stored under an operating coal mine. All I can say to you is that there is a great difference of opinion among the experts, the people who know as to whether or not that is a fact.

If you appeared at the hearing, or were at the hearing held, you will remember that a Mr. Baton, who is one of the large coal operators in western Pennsylvania, said that in his coal operations he had cut into, as explained by Mr. McCann, 12 abandoned gas wells in his operations, and that at least on one occasion there were two lives lost and four people were injured.

It was his opinion, and certainly his opinion should have some consideration, that the underground storage of gas under his mine at that time did contribute in some way to that disaster. But of course as I said, there is a difference of opinion.

But even so, and even though that be the case I think the people in this Legislature should not wait until the building burns down before they build a fire escape. I think if the hazard exists which is recognized by all parties concerned that these safeguards should be taken before the disaster occurs. That is the purpose of this bill.

The bill really covers three different things in general. It does provide certain rules and regulations—and you must remember that in this cast, huge program of gas storage in Pennsylvania and all over the United States, in Pennsylvania there is absolutely no regulation of any sort pertaining to the underground storage of gas. All this bill attempts to do is to bring some regulation, reasonable and fair regulation, for the storage of gas under coal mines, or within 2,000 feet of an operating coal mine, which will protect all parties concerned.

With that thought and with that intention in mind, the bill does include certain various specific standards which must be met in the drilling of oil and gas wells, and in the abandonment and the plugging of exhausted or abandoned gas wells.

I can say to you in all truthfulness that had Pennsylvania had such regulations many years ago—they did have some, there is a law on the books which attempts to provide regulation or a method of plugging the abandoned wells, but there has never been any enforcement—had we had a law with some teeth in it and some enforcement, we would not be called upon today to vote on a bill such as this.

This bill will provide those regulations and those regulations are designed in general in line with the provisions that are enforced in the state of West Virginia. They are accepted by the gas people and by the oil industry generally as good regulations I am sure there is no complaint about those.

Then, of course, the other part of the bill provides for the certification, not the prohibition but the permission

by certification, permitting the storage of gas under operating coal mines. You are familiar with them and I do not care to go into them in detail now.

The other provision provides for eminent domain for the gas people so that they can have some method of procuring rights to underground storage pools for the storage of gas. I am in favor of that. I think they should have that right.

I am also very much in favor of Mr. Hall's bill 1359, which is on our calendar today. It has nothing to do with House Bill 1240. There is no connection at all between the two. Everyone here should vote for it because it will mean two things to Pennsylvania. It could provide some revenue for the state of Pennsylvania and it could provide additional storage pools for the gas industry where they can store their gas.

The other thing I would like to talk about just for a moment is how much storage this bill should create. Where Mr. Tompkins gets his 39 percent I do not know. I did not hear him say. But I do know that a man by the name of Mr. Robert Stewart of the engineering firm of Huntly and Huntly, a reputable firm, appeared before the hearing and stated that by taking the figures of the gas people themselves as published in one of their public cases, by taking those figures and making a survey, his conclusion was that only 6 percent of the total gas storage facilities, or capacity in Pennsylvania would be affected by this bill. Further than that, he said that certainly some of that 6 percent would be able to qualify under the provisions of House Bill 1240.

So you see we are not going to have any mass shortage of gas. The thing that interests me on that point is, I have not heard any one from the gas industry or any spokesmen for them tell me that there is not going to be a shortage of gas, that they have not oversold their facilities to such an extent that there will not be a shortage of gas in Pittsburgh or any place else in the state of Pennsylvania, in the event that House Bill 1240 does not become law. I would like to know that.

As I say there are a great many things that have not been said by the people who oppose this bill so strenuously. I resent the fact very much that the whole story has not been told and that there has been a campaign of fear, a scare campaign wherein everyone in Pennsylvania who uses gas is led to believe that he will not have any gas in the event the Kent bill becomes law.

I do want to say something in reply to Mr. Tompkins about the law suit and equity case which is in progress in Greene County now. It is true. There are two phases to that case as I understand it, but I am not connected with it in any way. I have not read the pleadings in it and I am informed that there are two parts to that case.

One part of that case would be affected if House Bill 1240 would become law. The other part of that case involves property rights which will in no way be affected by House Bill 1240 and that case will proceed even though this bill becomes law. It involves those property rights which, if you will bear with me for just a minute would be very interesting.

You know, when they put this gas down into one of these reservoirs, or these pools, it filters out over quite a large area. If you happen to own a piece of property some place over that storage pool they of course, are using the underlying strata of your property for a storage pool without any compensation to you in most cases. That is the other issue that is involved in that case, whether they legally have the right to do it.

I only point that out to show you that this bill was not introduced in this Legislature in an attempt to win a law suit in Greene County because that law suit will continue regardless of the outcome of House Bill 1240.

Mr. Speaker, I think that is about all I have to say now on this bill, but I do agree with everyone else who has spoken in favor of this bill and I sincerely believe that it is of such importance that it should have very serious and deliberate consideration by everyone in this House.

Mr. TOMPKINS. Mr. Speaker, just to clarify a few remarks that were made by the gentleman from Crawford, Mr. Kent.

He read a letter regarding an explosion of a gas storage tank some number of years ago down in the Pittsburgh area. It so happens that those were overground storage tanks and were not underground storage. The dangers that exist because of the overground storage in tanks is one of the reasons why the gas industry went underground—in order to prevent the dangers that exist from overground storage.

He also mentioned the loss of two lives and several injuries which occurred, or that were reported by one of the geneltmen who appeared at a public hearing. It so happens that those two lives and several injuries occurred from a broken door in the mines which was investigated by a coroner's jury and by the Department of Mines in Pennsylvania, which I mentioned in my later remarks to you, and had no relation whatever to any underground storage of gas.

For his benefit on the 39 percent proposition I will repeat. The six percent proposal or curtailment that would be involved would be in all the underground storage areas in the state of Pennsylvania. Thirty-nine per cent curtailment would result in those areas which would be affected by this bill in the coal mining areas.

He posed another question to this effect, as to whether or not people would have any assurance that they would have a continued supply of gas or would not be curtailed in their gas if this bill did not pass. I would like to state to you that the gas people are under the jurisdiction of the Public Utility Commission. When people make application for service they find themselves between the pressure of the demand of the consuming public for that service and the amount of supply they have.

He talks about the extended service of the gas people. It has only been because of the fact that the Public Utility Commission has compelled them to do these things. That is what they are trying to do to be able to keep enough gas in these storage pools to be able to meet the demand of the public and also demands under the orders of the Public Utility Commission.

Mr. JOHNSON. Mr. Speaker, I realize that the hour is getting late, but you all know that I come from McKean County which is the heart of the oil and gas industry of Pennsylvania. Pennsylvania is famous for its 100 percent pure Pennsylvania oil, and it is produced mainly in McKean County.

At one time we were one of the leading counties in the production of natural gas. When I first came here in 1947, practically the only representatives who were in-

terested in the oil and gas industry were myself, Allen Gibson, and the Representative from Venango County.

Since that time, Pennsylvania has opened up great gas fields. You are all familiar with the Calhoun well which was struck over in Tioga County which was the largest oil and gas well ever drilled east of the Mississippi River.

The history of those wells are that they produce tremendous quantities of gas during the short life of the wells. After the wells become exhausted, the Oriskany sand becomes an excellent storage gas field.

Since 1947 the gas industry, the production of gas, and the storage field industry has spread from McKean County over into Potter, Tioga, into Elk County, into Clearfield County, into Cameron County, and possibly Lycoming: and when the gas sands are finally depleted of natural gas there will be tremendous storage fields in Pennsylvania.

I say really Pennsylvania faces a glorious era, you might say, of industrial progress and comfortable heating of homes because of the great storage fields that these new gas wells have opened.

Those of you who are familiar with the drilling of gas wells know that the drilling of the well, the construction on the surface leaves many tell-tale signs. The old standard rig is first constructed and an area about 30 feet square is constructed on a level place so that the rig can be built. Many times a lot of blasting must be done. Then a deep pit about 12 feet square or greater is dug for the boiler. Then another position is constructed about 14 feet square for the drilling engine. After the rig has been torn down and the well has been drilled, these tell-tale signs are on the surface, and unless someone disturbs that surface afterwards those tell-tale signs remain on that surface forever.

The coal company when they open up coal mines, if they are interested in the safety of their coal miners, should carefully examine that surface and find out if there are any signs of gas wells ever having been drilled that might have been abandoned. The signs will be there. Then when the gas company comes in and decides to open up a storage field, they too examine the surface very carefully; they find all the maps they can of wells that have previously been drilled; they go to the courthouse and they search the titles; they try to find out if there are any oil and gas leases on record. If there are any leases on record they go to the owners or the former owners and try to find maps, try to find well records.

Every possible, conceivable safeguard is resorted to before gas storage is started because it is a mighty expensive thing to buy huge quantities of natural gas and pump it under the surface into these abandoned sands, and the gas company must be thoroughly familiar with every conceivable type of well before they go into that.

So, as I say, before the storage field is opened up every possible safety measure is taken in order to protect life.

If this bill passes, I do not see how the situation will be remedied one bit. After several engineers and geologists and operators of the coal companies and the operators of the gas companies have hunted and searched for these old wells, I do not see what a representative of the Department of Mines could do. He never would be able to certify that there were no abandoned gas wells if there are no tell-tale signs on the surface, if there are no maps available, if there are no oil or gas leases on record.

I say that every precaution is taken today, and this danger does not exist. It has been magnified beyond all belief.

Pennsylvania is prospering because of this storage industry. Do not put a bureaucratic stranglehold upon this new and blossoming natural gas industry in Pennsylvania.

The law-suit in Greene County includes this: the coal companies have an adequate law. There is an old maxim of tort law "So use your own as not to harm others". If the gas companies today are creating an obvious hazard over coal mines, they can go into court and prove to the court that the gas companies are not using their own so as not to harm others. I say this danger does not exist and I think it is in the best interests of this state that we do not put this law into effect.

Mr. HEWITT. Mr. Speaker, I realize the time is getting short. We have discussed this at length, but I do want to call the attention of the House to just one or two things.

Many men of the House have occupations of which I know nothing, and many of the men in the House do not know what my business has been. I have been a mining engineer all my life in the coal business. I am still in the business.

I personally know that a great hazard exists from these storage pools of gas. That is all I want to say along that line.

I want to call your attention again to the remarks of the gentleman from Washington, Mr. Polen, in which he asked the Vice President of the Manufacturers Light and Heat Company if this bill became a law whether it would curtail the supply of gas, and he said, no. I want to tell you in deference to what the floor leader, Mr. Johnson, of McKean County has said that Mr. Baton in his testimony before the hearing on May 25 of this year stated that he had found 12 uncharted, abandoned wells in the territory in which he was operating. Those are the wells, in deference to Mr. Johnson, which were never found.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack. For what purpose does the gentleman rise?

Mr. McCORMACK. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Is there any motion that can be made to limit debate on a bill in the House.

The SPEAKER. For the information of the Member a motion may be made but the Chair is of the opinion that debate has been concluded.

Mr. McCORMACK. I thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. TOMPKINS, VAUGHAN and GIBSON.

The roll was verified and was as follows:

YEAS—106

Adam,	Greenwood,	McCormack,	Scott,
Alexander,	Guss,	McDermit,	Shoemaker,
Amarando,	Gutendorf,	McGee,	Snider,
Ashton,	Harris,	McWherter,	Spencer,
Banker,	Hersch,	Metz,	Stank,
Bazin,	Hewitt,	Mikula,	Stoner,
Blair,	Hocker,	Mills,	Strausser,
Boory,	Hoggard,	Monroe,	Taylor,
Bower,	Ide,	Moore,	Toll,
Breisch,	Jones, Gran'le E.	Mulgowney,	Toomey,
Breth,	Jump,	Munley,	Varallo,
Buchanan,	Kent,	Naugle,	Wall,
Capano,	Kohl,	Needham,	Wallace,
Clapper,	Kolankiewicz,	Parlante,	Wargo,
Comer,	Kornick,	Peifly,	Welsh,
Conner,	Kratz,	Peta,	Wescott,
Coyle,	Kromer,	Petrosky,	Whalley,
Curwood,	Kubacki,	Pettigrew,	Wheeler,
Dougherty,	Lederer,	Pfaff,	White,
Downey,	Leisey,	Phillips,	Whitenight,
Dunn,	Leven,	Polen,	Williams,
Farabaugh,	Limper,	Poltenstein,	Wood,
Ferster,	Lopresti,	Reidenbach,	Yetzer,
Flack,	Lovett,	Rosen,	Zeitz,
Floyd,	Maguire,	Rovansek,	Smith, C. C., Speaker
Frost	Mathews,	Royer,	
Goodling,	McCann,	Schwartz,	

NAYS—91

Andrews,	Gibson,	Mahan,	Seyler,
Auker,	Gleason,	Markley,	Smith, W. B.,
Barkdoll,	Gramlich,	McCullough,	Stevenson,
Bear,	Guthrie,	McInroy,	Stimmel,
Boies,	Hall,	Mihm,	Stone,
Bolton,	Hamilton, R. K.,	Miller,	Sucher,
Bomberger	Hamilton, W. H.,	Moody,	Thomas,
Brown,	Haudenshield,	Moran,	Thompson,
Bucchin,	Helm,	Moscrip,	Tompkins,
Bullen,	Jenkins,	Murray, J. J.,	VanSant,
Cioffi,	Jim,	Murray, P. G.,	Varner,
Connelly,	Johnson,	Ogilvie,	Vaughan,
Cooper,	Jones, Geo. E.,	Olsen,	Verona,
Davis,	Jones, Paul F.,	Polaski,	Walsh,
Down,	Jones, T. H. W.,	Price,	Waterhouse,
DuBois,	Kamyk,	Ragot,	Weidner,
Erb,	Keller,	Reagan,	Willaredt,
Ewing,	Kerlin,	Richter,	Wilt,
Fenrich,	Lafore,	Rubin,	Worley,
Filo,	Leonard,	Sarraf,	Yeakel,
Fleischman,	Lippincott,	Schmidt,	Young,
Flynn,	Lutty,	Schuster,	Ziegler,
Geer,			

NOT VOTING—10

Baumunk,	Glick,	Maxwell,	Readinger,
Cianfrani,	Kline,	Musto,	Shotwell,
Cochran,	Light,	Quisenberry,	Watkins.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER ON HOUSE BILL 1390

Mr. VARNER. Mr. Speaker, I move that House Bill 1390, Printer's No. 442, be made a Special Order of Business at this time.

I would request and ask for your indulgence and your cooperation. I think we all know where we stand, and I do not think we need any long debate. We have train schedules to meet, let us get through with it.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the Special Order of Business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1390, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles changing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads prescribing and changing penalties providing for confiscation and sale of vehicles and the divestiture of titles liens and encumbrances in default of payment of certain fines and for disposition of their loads and imposing duties upon operators owners magistrates and sheriffs changing the provisions for signs upon restricted highways and changing the disposition of fines and penalties for violations of restrictions upon such highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred three and seven hundred four of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners cities cities boroughs incorporated towns townships within the Commonwealth liability for damages cause by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receitps making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 618) are further amended to read as follows

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled Class	Chassis Weight in Pounds	Fees
R..Less than 2000		$ 16.50
S..2000 and over but less than 3000		26.00
T..3000 and over but less than 4000		35.00
U..4000 and over but less than 5000	[45.00]	50.00
V..5000 and over but less than 6000	[70.00]	80.00
W..6000 and over but less than 7500	[96.00]	110.00
Y..7500 and over but less than 9000	[120.00]	134.00
Z..9000 and over	[175.00]	192.00
Six-wheel (3 Axles) Class	Chassis Weight in Pounds	Fee
RZ..2000 and over but less than 3000		$ 40.00
SZ..3000 and over but less than 4000		50.00
TZ..4000 and over but less than 5000		60.00
UZ..5000 and over but less than 6000	[98.00]	106.00
VZ..6000 and over but less than 7500	[168.00]	186.00
WZ..7500 and over but less than 9000	[186.00]	203.00
YZ..9000 and over but less than 12000	[215.00]	239.00
ZZ..12000 and over	[250.00]	294.00

Section 704 Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires approved by the Secretary of Highways of this Commonwealth other than those electrically operated shall be divided into eight (8) classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled Class	Chassis Weight in Pounds (Soldi Rubber Tires)	Fee
R..Less than 2000		$ 28.00
S..2000 and over but less than 3000		45.00
T..3000 and over but less than 4000		60.00
U..4000 and over but less than 5000	[75.00]	82.00
V..5000 and over but less than 6000	[120.00]	132.00
W..6000 and over but less than 7500	[160.00]	181.00
Y..7500 and over but less than 9000	[204.00]	226.00
Z..9000 and over	[315.00]	346.00

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds (Solid Rubber Tires)	Fee
RZ..2000 and over but less than 3000		$ 65.00
SZ..3000 and over but less than 4000		75.00
TZ..4000 and over but less than 5000		90.00
UZ..5000 and over but less than 6000	[153.00]	171.00
VZ..6000 and over but less than 7500	[288.00]	319.00
WZ..7500 and over but less than 9000	[311.00]	340.00
YZ..9000 and over but less than 12000	[340.00]	378.00
ZZ..12000 and over	[375.00]	440.00

Four Wheeled Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
R..Less than 2000		$ 25.00
S..2000 and over but less than 3000		35.00
T..3000 and over but less than 4000		50.00
U..4000 and over but less than 5000	[60.00]	66.00
V..5000 and over but less than 6000	[92.00]	102.00
W..6000 and over but less than 7500	[124.00]	140.00
Y..7500 and over but less than 9000	[156.00]	173.00
Z..9000 and over	[228.00]	251.00

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
RZ..2000 and over but less than 3000		$ 55.00
SZ..3000 and over but less than 4000		65.00
TZ..4000 and over but less than 5000		70.00
UZ..5000 and over but less than 6000	[133.00]	144.00
VZ..6000 and over but less than 7500	[213.00]	236.00
WZ..7500 and over but less than 9000	[236.00]	258.00
YZ..9000 and over but less than 12000	[265.00]	294.00
ZZ..12000 and over	[300.00]	352.00

Section 2 Section seven hundred six of said act as last amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1557) is further amended to read as follows

Section 706 Trailers and Semi-Trailer Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided into seven (7) classes and the fee for annual registration of such vehicles in each of the respective classes on the combined weight of chassis and body if so constructed or the gross weight of the trai er or semi-trailer exclusive of the load to be transported shall be as follows

Two-Wheeled Class Weight in Pounds	Semi-Trailer Tire Equipment Pneumatic	Cushion	Solid
A..Less than 1000	$ 5.00	$ 6.00	$ 8.00
B..1000 and over but less than 2000	10.00	10.00	15.00
C..2000 and over but less than 3000	15.00	20.00	25.00
D..3000 and over but less than 4000	25.00	30.00	35.00
E..4000 and over but less than 5000	30.00	40.00	50.00
F..5000 and over but less than 6000	45.00	60.00	75.00
G..6000 and over	[75.00]84.00	[85.00]95.00	[100.00]111.00

Four-Wheeled (2 Axles) Class Weight in Pounds	Trailer or Semi-Trailer Time Equipment Pneumatic	Cushion	Solid
A..Less than 1000	$ 5.00	$ 6.00	$ 8.00
B..1000 and over but less than 2000	8.00	10.00	15.00
C..2000 and over but less than 3000	15.00	20.00	25.00
D..3000 and over but less than 4000	25.00	30.00	35.00
E..4000 and over but less than 5000	30.00	40.00	50.00
F..5000 and over but less than 6000	45.00	60.00	75.00
G..6000 and over	[75.00]95.00	[85.00]108.00	[100.00]127.00

Six-Wheeled (3 Axles) Class Weight in Pounds	Trailer Tire Equipment Pneumatic	Cushion	Solid
AZ..Less than 3000	$40.00	$45.00	$50.00
BZ..3000 and over but less than 4000	45.00	50.00	60.00
CZ..4000 and over but less than 5000	50.00	60.00	70.00
DZ..5000 and over but less than 6000	60.00	75.00	90.00
EZ..6000 and over but less than 7000	75.00	100.00	125.00
FZ..7000 and over but less than 9000	85.00	110.00	135.00
GZ..9000 and over	[100.00]130.00	[125.00]163.00	[150.00]196.00

Section 3 Section eight hundred eleven of said act as ast amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is further amended to read as follows

Section 811 Brakes

(a) Every [motor] vehicle using the highways of this Commonwealth except trailers ad semi-trailers having chassis and body weights of less than one thousand (1000) pounds shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle Brakes shall be capable of stopping the vehicle and its load if any traveling at a speed of twenty (20) miles per hour upon a dry hard approximately level stretch of highway free from loose material where grade does not exceed one (1) per centum within the following distances namely fifty-five (55) feet for parking brakes forty (40) feet for service brakes effective upon less than a'l wheels and thirty (30) feet for service brakes effective upon all wheels Brakes shall be maintained in good working order and so adjusted upon vehicles other than motorcysles and bicycles with motors attached as to operate as equally as practicable with respect to the wheels on opposite sides of the vehic'es [including]

(b) Every motor vehicle using the highways of this Commonwealth except motorcycles and bicycles with motors attached shall be equipped with two (2) separate means of applying the brakes [each of which means shall be effective to apply the brakes to at least two (2) wheels If these (2) seperate means of applying the brakes are connected in any way they sha'l be] so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without operative brakes on at least (2) wheels One such means shall be a parking brake employing a ratchet and pawl or other suitable locking and re'easing mechanism effective to lock at least

two (2) rear wheels on opposite sides of the vehicle The other such means shall be a service brake effective upon all wheels of every such motor vehicle sold new in this Commonwealth on or after the first day of January one thousand nine hundred thirty-six and upon at least two (2) wheels of every other such motor vehic e

[(b)] (c) Every motorcycle and bicycle with motor attached using the highways of this Commonwealth shall be provided with at least one (1) brake which mav be operated by hand or foot

[(c)] (d) Every combination of a commercial motor vehicle and trailer or truck tractor and semi-trailer [having a chassis and body weight of one thousand (1000) pounds or more] when operated upon a highway sha l be equipped with brakes [adequate to control the movement of and to stop and to hold such vehicle for at least fifteen (15) minutes and] so designed as to be applied upon both vehicles by the driver of the towing motor vehicle from its cab [and said] The brakes shall be so designed and connected that in case of an accidental breakaway the brakes of the towed vehicle [the brakes] shall be automatica ly applied and stop and hold such vehicle for at least fifteen (15) minutes

(e) The authority conferred by clause (d) of section four hundred nine of this act upon the secretary shall not operate to reduce the brake requirements of any commercial motor vehicle or combination of commercial motor vehicle and trailer or truck tractor and semi-trailer below the standards estab ished for those tvpes of vehicles by the Interstate Commerce Commission

[(d) Every new motor vehicle trailer or semi-trailer sold in this Commonwealth on and after January first one thousand nine hundred thirty-six and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle except any motorcycle and except that any semi-trailer having a chassis and body weight of ess than one thousand (1000) pounds need not be equipped with brakes

(e) On a dry hard approximately level stretch of highway free from loose material where the grade does not exceed one (1) per centum the service braks upon any motor vehicle or combination of vehicles except as herein provided shall be adequate to stop such vehicle or vehicles when traveling at a speed of twenty (20) miles per hour within a distance of thirty (30) feet or at a rate corresponding to such performance

(f) Under the above conditions the emergency brake sha l be adequate to stop such vehicle or vehicles within a distance of fifty-five (55) feet and said emergency brake shall be adequate to hold such vehicle or vehicles stationarv upon any grade upon which operated

(g) Under the above conditions the service brakes upon a motor vehicle equipped with two wheel brakes only and when permitted hereunder shall be adequate to stop the vehicle within a distance of forty (40) feet and the emergency brake shall be adequate to stop the vehic e within a distance of fifty-five (55) feet

(h) All braking distances specified in this section shall apply to all vehicles mentioned whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this act

(i) A l brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle]

Penalty Any person violating any of the provisions of this section shall upon summar conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in defau't of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Said act is further amended by adding thereto after section eight hundred twenty-one a new section to read as follows

Section 821.1 Minimum Engine Capacity Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or truck tractor and semi-trailer when used on a highway shall be equipped with an engine capable of propel ing such vehicle or combination up a grade of two per centum (2%) at a speed of not less than twenty (20) miles per hour when such vehicle or combination is loaded to the maximum gross weight allowed by section nine hundred three of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dol ars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 5 Section nine hundred three of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) and as last amended in part by the acts approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) and the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1557) is further amended to read as follows

Section 903 Weight of Vehicles and Loads ,

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles) Class Chassis Weight in Pounds		Maximum Gross Wieght in Pounds
R..Less than 2000		5000
S..2000 and over but less than 3000		7000
T..3000 and over but less than 4000		11000
U..4000 and over but less than 5000	[15000]	16500
V..5000 and over but less than 6000	[19000]	21000
W..6000 and over but ess than 7500	[23000]	26000
Y..7500 and over but less than 9000	[27000]	30000
Z..9000 and over	[30000]	33000

Six-Wheeled (3 Ax'es) Class Chassis Weight in Pounds		Maximum Gross Weight in Pounds
RZ..2000 and over but less than 3000		12000
SZ..3000 andover but less than 4000		14000
TZ..4000 and over but less than 5000		16000
UZ..5000 and over but less than 6000	[24000]	26000
VZ..6000 and over but less than 7500	[28000]	31000
WZ..7500 and over but less than 9000	[32000]	35000
YZ..9000 and over but less than 12000	[36000]	40000
ZZ..12000 and over	[40000]	47000

(b) Electrically operated commercial motor vehicles and truck tractors sha l not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles) Class	Maximum Gross Weight in Pounds
R	5000
S	7000
T	11000
U	15000

Four-Wheeled (2 Axles) Class	Maximum Gross Weight in Pounds
V	18000
W	22000
Y	25000
Z	26000

SixWheeled (3 Axles) Class	Maximum Gross Weight in Pounds
RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	30000
YZ	34000

(c) Trailers and semi-trailers except trailers designed and used exclusively for living quarters shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles) Trailer or Semi-Trailer Class Weight in Pounds	Maximum Gross Weight in Pounds
A..Less than 1000	3000
B..1000 and over but less than 2000	6000
C..2000 and over but less than 3000	10000
D..3000 and over but less than 4000	16000
E..4000 and over but less than 5000	20000
F..5000 and over but less than 6000	24000
G..6000 and over [26000]	33000

SixWheeled (3 Axles) Trailer Class Weight in Pounds	Maximum Gross Weight in Pounds
AZ..Less than 3000	12000
BZ..3000 and over but less than 4000	15000
CZ..4000 and over but less than 5000	20000
DZ..5000 and over but less than 6000	26000
EZ..6000 and over but less than 7000	30000
FZ..7000 and over but less than 9000	34000
GZ..9000 and over [36000]	47000

Two-Wheeled (1 Axle) Semi-Trailer Class Weight in Pounds	Maximum Gross Weight in Pounds
A..Less than 1000	3000
B..1000 and over but less than 2000	8000
C..2000 and over but less than 3000	10000
D..3000 and over but less than 4000	12000
E..4000 and over but less than 5000	14000
F..5000 and over but less than 6000	16000
G..6000 and over [18000]	20000

(d) [No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of twenty thousand (20,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire] Whenever two vehicles are used or operated as a combination on any highway the gross weight of the combination shall not exceed the sum of the maximum gross weights allowed for the respective vehicles and in addition the gross weight of the combination shall not exceed the sum of (1) seven hundred fifty (750) pounds multiplied by the number by which the distance between the centers of the foremost axle and rearmost axle of the combination expressed in feet to the nearest whole foot exceeds four (4) feet and (2) thirty-six thousand (36,000) pounds

(e) [No four-wheeled vehicle except fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel] Maximum gross weights provided in this section are allowed only under conditions where no other restrictions are provided in this act or in any other laws regulating maximum gross weights of vehicles

(f) [No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or in excess of eight thousand (8000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart] No vehicle shall be operated upon any highway with weight in excess of twenty thousand (20,000) pounds upon any one axle or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-two (72) inches apart No vehicle shall be operated upon any highway with weight in exess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(g) [No truck tractor and semi-trailer combined except fire deparment equipment shall be operated upon any highway with a gross weight in excess of forty-five thousand (45,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor] No three-axle vehicle or two axle semi-trailer shall be operated upon any highway unless the rear axles be parallel and at least forty (40) inches apart and no truck tractor and semi-trailer shall be operated as a combination on any highway unless the rearmost axle of the truck tractor and the foremost axle of the semi-trailer be at least ninety-six (96) inches apart

(h) [No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel] None of the restrictions provided in this section shall be applicable to fire department equipment or to any two axle motor bus operated within a municipality or in a business or residence district

(i) A variance of five percentum (5%) over the several maximum weights allowed by the foregoing clauses of this section shall be permitted for all purposes and no penalty for violation of this section shall be imposed for such variance provided that no variance shall be permitted over the maximum weight allowed on a pair of axles less than seventy-two (72) inches apart [Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross weight of vehicles

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in that particular case and not exceeding by more than ten (10) per centum the maximum weight allowed shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in that particular case shall in each case upon summary conviction before a magistrate be sentened to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days]

Penalties

Subject to the provisions of clause (i) of this section any person operating any vehicle or combination of vehicles upon a highway in violation of this section shall upon summary conviction before a magistrate be sentenced to pay the costs of prosecution and a fine according to the following schedule

For violating clause (a) (b) (c) or (d) of this section the fine shall be one hundred ($100) dollars plus two ($2) dollars for each one hundred (100) pounds or part thereof by which the gross weight of the vehicle or combination of vehicles exceeds the maximum gross weight allowed therefor exclusive of the variance permitted by clause (i) but inclusive of a variance of three thousand one hundred (3100) pounds

For violating clause (f) without violating clause (a) (b)

(c) or (d) of this section the fine shall be twenty-five ($25) dollars

For violating clause (g) of this section the fine shall be twenty-five ($25) dollars

In default of payment of any fine and costs of prosecution for violation of clause (a) (b) (c) (d) or (g) of this section the magistrate shall declare the vehicle or combination of vehicles confiscated and order the peace officer to seize them and the load The magistrate shall forthwith order the operator in custody of the peace officer to deliver said vehicle or combination of vehicles and load to such off-the-highway parking area or other storage facility as the magistrate shall designate Any operator who shall fail neglect or refuse to comply with such order shall upon summary convition before a magistrate be sentenced to undergo imprisonment for thirty (30) days and in such case the magistrate shall employ a competent person at the expense of the Commonwealth to deliver the vehicle or combination of vehicles and load as aforesaid The cost of such employment and all parking or storage charges shall be deemed additional costs of prosecution After confiscation as aforesaid title and possession of the vehicle or combination of vehicles shall be in the Commonwealth and the title of the former owners and all other liens encumbrances or other interests of other persons shall be divested Title to the load shall remain in the owner thereof and he shall be entitled to repossess it at any time upon presentation of proof of such ownership If the load shall consist of raw farm products or other perishable goods and the name and address of the owner thereof be known to the magistrate he shall send a notice to said owner by telegram informing him of the place where repossession of the load may be had upon proof as aforesaid provided that if the load shall spoil during possession by the Commonwealth the loss shall be upon the owner thereof and the cost of disposition thereof shall be deemed an additional cost of prosecution The magistrate shall forthwith issue an order to the sheriff of the county commanding him to sell at public sale such vehicle or combination of vehicles and the load also if the latter remain unclaimed as herein provided Within five (5) days after receipt of such order the sheriff shall begin the advertisement of said sale which advertisement shall appear once a week for three (3) successive weeks in a newspaer of general circulation within the county provided that such sale shall be held not less than thirty (30) days after the beginning of advertisement as aforesaid At least thirty (30) days prior to such sale the sheriff shall post notices by registered mail to each person whose name and address are conspicuously marked upon the exterior of the vehicle or combination of vehicles or upon any registration card manifest waybill or other papers conspicuously placed within the vehicle or combination of vehicles as being the owner conditional vendor bailor lessor mortgagee or other party having an interest in the vehicle or combination of vehicles or load and such notice shall state the date time and place of public sale and the amount of the fine and all costs of prosecution and further that at any time prior to such sale any such person having an interest in the vehicle or combination of vehicles may have the title and possession thereof retransferred to the former owner by paying to the sheriff the amount of the fine and all costs of prosecution accrued to the date of payment and that at any time prior to such sale the owner of the load may repossess it upon presentation of proof of such ownership but that otherwise the load will be sold at said sale Unless such retransfer or repossession as the case may be shall occur the sheriff shall sell separately the vehicle or combination of vehicles and the load at public sale as aforesaid to the highest bidders and execute and deliver to them evidences of transfer of title The proceeds of sale of the vehicle or combination of vhicles shall be first devoted to the payment of all costs of prosecution including employment costs costs of disposing of perishable goods and parking and storage charges as aforesaid and the balance shall be disposed of as provided in section twelve hundred seven of this act The proceeds of sale of the load shall be transmitted to the owner thereof if known to the sheriff otherwise they shall be transmitted to the Department of Revenue for deposit to the Motor License Fund The magistrate and sheriff shall be entitled to the same fees to which they are entitled by law for similar services provided that the fee of the magistrate for arranging for parking or storage shall be five ($5) dollars and for each order of sale directed to the sheriff shall be five ($5) dollars and provided further that the fee of the sheriff for each notice of sale posted by registered mail as aforesaid shall be five ($5) dollars Neither the peace officer magistrate person employed by the magistrate to deliver the vehicle or combination of vehicles and load nor sheriff shall incur any liability whatsoever by virtue of any act done in pursuance of the provisions of this section Violation of this section by any person shall not affect his operating privilege or his privilege to apply for an operator's license or learner's permit under any other section of this act

Section 6 Section nine hundred four of said act as last amended by the act aproved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is further amended to read as follows

Section 904 Officers May Weigh Vehicles and Require Removal of Excess Load Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the gross weight of a vehicle or combination of vehicles or the weight upon an axle or pair of axles thereof [and load] is unlawful is authorized to weigh the same either by means of portable or stationary sales or may require that such vehicle or combination of vehicles be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles [The] If the weight upon an axle or pair of axles exceeds the maximum weight allowed therefor or if the gross weight of the vehicle or combination of vehicles exceeds the maximum gross weight allowed the peace officer may [then] and if such gross weight exceeds the maximum gross weight allowed and also exeeds fifty thousand four hundred (50,400) pounds the peace officer shall require the operator to [unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle or combination of vehicles] reduce or rearrange the load so as to bring the gross weight or weight upon an axle or pair of axles to not more than the respective maximum gross weight or maximum weight allowed [specified in this act] except as herein provided for special permits This section shall be subject to the provisions of clause (i) of section nine hundred three of this act [And further provided That no arrest shall be made or information brought in cases where the maximum gross weights provided in this act are not exceeded by more than five (5) per centum thereof]

Penalty Any [person refusing to unload excess weight when so ordered or violating any of] operator who shall fail neglect or refuse to comply with the requirements of a peace officer given pursuant to the other provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [fifty ($50)] one hundred (100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] thirty (30) days In addition to the foregoing penalty the Secretary may suspend the operating privilege of the aforesaid person for a period of thirty (30) days

Section 7 Section one thousand one hundred one of said act as last amended by the act aproved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1348) and the act aproved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is further amended to read as follows

Section 1101 When Authorities May Restrict Right to Use Highways

(a) The Secretary of Highways of this Commonwealth and local authorities may by ordinance or resolution or

ruling prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles and their loads when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible whenever any said highway by reason of deterioration rain snow or other climatic conditions may be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced The Secretary of Highways of this Commonwalth and local authorities enacting or making any such ordinance or resolution or rule shall erect or cause to be erected and maintained official signs designating the provisions of the ordinance or resolution or rule at each end of that portion of any highways affected thereby and at each of its intersections [thereof] with highways on which heavier loads are permitted and the ordinance or resolution or rule shall not be effective until or unless such official signs are erected and maintained except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways

(b) Whenever necessary for the protection of any highway or the safety of traffic thereon the Secretary of Highways of this Commonwealth or local authorities may also by ordinance or resolution or rule prohibit the operation of motor vehicles trailers or semi-trailers on designated highways as to the weights and loads thereon which prohibitions and limitations shall be designated by official signs placed on such highways at each of their intersections with highways on which heavier loads are permitted except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways

Penalty Any person refusing to unload excess weight when so ordered by a peace officer in uniform or violating any of the other provisions of this section or violating any ordinance resolution or ruling promulgated under the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [fifty ($50)] one hundred ($100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] ten (10) days Said penalty shall be in addition to any penalty that may be imposed for violation of the provisions of section nine hundred three of this act

Section 8 Clause (a) of section twelve hundred seven of said act as last amended by the act aproved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of sections nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) one thousand one hundred one (1101) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein the violation occurred to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section Any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes

Section 9 Sections one and two of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-five Sections five six seven and eight of this act shall become. effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

MOTION TO TABLE HOUSE BILL 1390

Messrs. MORAN, TAYLOR, THOMAS, JENKINS and ROBERT K. HAMILTON moved that House Bill 1390 be laid on the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. MORAN and Mr. TAYLOR and were as follows:

YEAS—16

Baumunk,	McDermit,	Munley,	Reidenbach,
Hocker,	Mills,	Murray, J. J.,	Taylor,
Jenkins,	Moran,	Peifly,	Thomas,
Leisey,	Muldowney,	Polaski,	Wescott,

NAYS—180

Adam,	Frost,	Lovett,	Seyler,
Alexander,	Geer,	Lutty,	Shoemaker,
Amarando,	Gibson,	Maguire,	Shotwell,
Andrews,	Gleason,	Mahan,	Smith, W. B.,
Ashton,	Glick,	Markley,	Snider,
Auker,	Goodling,	Mathews,	Spencer,
Banker,	Gramlich,	McCann,	Stank,
Barkdoll,	Greenwood,	McCormack,	Stevenson,
Bazin,	Guss,	McCullough,	Stimmel,
Beer,	Gutendorf,	McGee,	Stone,
Blair,	Guthrie,	McInroy,	Stoner,
Boles,	Hall,	McWherter,	Strausser,
Bolton,	Hamilton, R. K.,	Metz,	Sucher,
Bomberger,	Hamilton, W. H.,	Mihm,	Thompson,
Boory,	Harris,	Mikula,	Toll,
Bower,	Haudenshield,	Miller,	Tompkins,
Breisch,	Helm,	Monroe,	Toomey,
Breth,	Hersch,	Moody,	VanSant,
Brown,	Hewitt,	Moore,	Varallo,
Bucchin,	Hoggard,	Moscrip,	Varner,
Buchanan,	Ide,	Murray, P. G.,	Vaughan,
Bullen,	Jim,	Musto,	Verona,
Capano,	Johnson,	Naugle,	Wall,
Cioffi,	Jones, Geo. E.,	Ogilvie,	Wallace,
Clapper,	Jones, Gran'le E.	Olsen,	Walsh,
Comer,	Jones, Paul F.,	Parlante,	Wargo,
Connelly,	Jones, T. H. W.,	Peta,	Waterhouse,
Conner,	Jump,	Petrosky,	Weidner,
Cooper,	Kamyk,	Pettigrew,	Welsh,
Coyle,	Keller,	Pfaff,	Whalley,
Curwood,	Kent,	Phillips,	Wheeler,
Davis,	Kerlin,	Poltenstein,	White,
Dougherty,	Kohl,	Price,	Whitenight,
Down,	Kolankiewicz,	Quisenberry,	Willaredt,
Downey,	Kornick,	Reagan,	Williams,
DuBois,	Kratz,	Richter,	Wilt,
Dunn,	Kromer,	Rosen,	Wood,
Erb,	Kubacki,	Rovansek,	Worley,
Ewing,	Lafore,	Royer,	Yeakel,
Farabaugh,	Lederer,	Rubin,	Yetzer,

Fenrich,	Leonard,	Sarraf,	Young,
Ferster,	Leven,	Schmidt,	Zeitz,
Filo,	Limper,	Schuster,	Ziegler,
Fleischman,	Lippincott,	Schwartz,	Smith, C. C.,
Floyd,	Lopresti,	Scott,	Speaker
Flynn,			

NOT VOTING—11

Cianfrani,	Kline,	Needham,	Readinger,
Cochran,	Light,	Polen,	Watkins,
Flack,	Maxwell,	Ragot,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WHITE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 3, fourth line from top of page, by inserting after "highways," "restricting certain vehicles to highways designated by the Secretary of Highways."

Amend Sec. 7 (Sec. 1101) page 31, line 12 by inserting after "Highways," "Certain Vehicles Restricted to Certain Highways."

Amend Sec. 7 (Sec. 1101) page 33, by inserting between lines 5 and 6 "(c) No commercial vehicle, truck tractor, trailer or semi-trailer of the Z, YZ, ZZ or GZ class shall be operated on any highway unless the same has been designated by the Secretary of Highways for such use and posted as heavy truck highways."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

One the question,

Will the House agree to the amendments?

Mr. VARNER. Mr. Speaker, I would ask that the Members vote down these amendments.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLAREDT. Mr. Speaker, as a Member of the State Association of Township Supervisors, I would call to the attention of the House that they represent 45,000 miles of road and 10,000 bridges. It went on record last February 2nd by unanimous resolution as being opposed to House Bill 1390.

In addition, the Grange, League of Third Class Cities, the State Association of Boroughs, and the Association of First Class Township Commissioners, and others are on record against this bill.

Mr. TOMPKINS. Mr. Speaker, as I rise to oppose this bill I feel as though the sword of Damocles hangs over my head and over the head of every Member of this House. Because if we are to believe recent magazine reports, every Member of this House is going to be damned if you do it, and you are going to be damned if you do not, in connection with the consideration of this bill.

I would, before proceeding with the discussion of the bill—it is going to be short, I can assure you—like to interrogate preliminarily Mr. Guthrie of the Motor Vehicle Committee.

The SPEAKER. Will the gentleman from Armstrong, Mr. Guthrie, permit himself to be interrogated?

Mr. GUTHRIE. I shall, Mr. Speaker.

Mr. TOMPKINS. I would like to inquire from the Chairman of the Motor Vehicles Committee as to whether the Joint State Government Commission's technical staff was consulted to determine whether the bill 1390 is in accordance with the report on truck weights made by them.

Mr. GUTHRIE. Mr. Speaker, does the gentleman mean did the Committee consult them? Does the Gentleman mean, did the Motor Vehicle Committee consult with them?

Mr. TOMPKINS. Mr. Speaker, that is right.

Mr. GUTHRIE. Mr. Speaker, no sir.

Mr. TOMPKINS. Mr. Speaker, was the Department of Highways consulted to determine the reaction of the Highway engineers?

Mr. GUTHRIE. No. sir, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, does the bill conform to the report of the Joint State Government Commission on truck weights?

Mr. GUTHRIE. Mr. Speaker, in the main it does.

Mr. TOMPKINS. Mr. Speaker, was a public hearing requested on this bill?

Mr. GUTHRIE. No sir, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Cameron, Mr. Varner, the sponsor of this bill.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. VARNER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, are the fees in 1390 increased in accordance with the Joint State Government Commission's recommendations as shown in item 3, Page 1 of the report?

Mr. VARNER. Mr. Speaker, the fees in House Bill 1390 follow closely the recommendations made in the Joint State Government's report. In some cases they do vary.

Mr. TOMPKINS. Mr. Speaker, is that true in all cases?

Mr. VARNER. Mr. Speaker, I do not have the material with me here but we could compare it. We could get the bill and get the report. You have the report, I have the bill.

Mr. TOMPKINS. Mr. Speaker, the report is on my desk that I am referring to.

Mr. Speaker, I have it here. I might answer that question in this respect, the Joint State Government Commission report only relates to pneumatic tires and the fees in the bill are increased only in direct proportion to the proposed weight increase, that is, the overall increase. It does not deal with the subject of the axle weights in any respect.

Mr. Speaker, in connection with this bill I would like to point out several figures which I think should be for the consideration of this House.

Were this a matter of competition between two competing industries, I would say, "a plague on both your houses, go out and get this thing settled between yourselves," but it is not. There is a vital interest of the entire motor vehicle traveling public in the state of Pennsylvania affected by this bill, as well as every person who in any manner uses any products which go into the construction of our highways.

Our present weight limits are 45,000 pounds. The bill

has proposed various weight limits according to publicized reports of the motor vehicle industries of 58,000 pounds. What they do not tell you, however, is that with a tolerance of 5 percent on that, they can increase their weights by 5 percent of 58,000 pounds, or bring them up to a 62,000 pounds limitation.

Further than that, they have formulated—they have developed a lot of formulas in this bill—I do not know how long their technical staff took to develop them—but I know it is a very difficult thing to try to decipher some of the formulas they use in this bill. But it seems that in addition to the weights which are allowed under the normal wheel base that the farther you separate your overall rear axle apart, you can increase your weight by 750 pound for every foot of distance that you put the axles farther apart, which actually means that under the present truck weights of the state of Pennsylvania, and with the formulas applied to it and with the 5 percent tolerance which the bill permits, that they can carry loads not of 58,500 pounds but loads of 66,150 pounds.

Take a truck-trailer outfit that is allowed a 50-foot length, and under the formula provided for it in this bill, they can carry upward of 70,000 pounds and still be within the limitations of the bill. Now that is against the present 45,000 pounds which the present law allows. They try to spread this load both on a maximum basis and on an axle basis. In doing that, let us take a look at some other features in connection with the bill.

1390 has accelerated penalties, by that I mean trucks according to the weights which you use might be overloaded, which is applied only to the gross weight and when you come to that, you will find that in addition to the gross weight which you have that before any penalties can be attached, they are allowed 3100 pounds over and above the gross weights, prior to the time any penalties will be attached. You will find that on page 25 of the report.

The Joint State Government Commission's recommendations provide for accelerated penalties both for axle weight and gross weight. Let us take a little look at that situation. The Chairman of the Pennsylvania Motor Truck Association recently made a statement that it is not the gross load but the axle load that causes the damage to the highways and roads. This is borne out by the Maryland Road Tests, but we find through the penalty provisions of the bill that there is only a $25 penalty for overloading on the axle basis as against the present $50 fine. Now that is just a very nice little sleeper that is contained in this bill, that we reduce their penalties even on an overloaded axle.

The present axle load, by the way, too, is 20,000 pounds. but the axle load is increased by 1,000 pounds by the 5 percent tolerance which is allowed in this bill. And that 5 percent tolerance will give you a 21,000 pound load per axle which will be permitted under this bill. And, as I stated, it is the axle loads which have been determined to cause the damage to your highways.

I might state this, that the Highway Department in dealing with the subject of the overall axle weights on trucks, in the arrests which were made in 1951, found that 51 percent of the trucks were of a greater length than the tolerance allowed in this bill of 34 feet, that they range as high as 40 feet and gives them 66,500 pounds maximum which are allowed to roll over our highways in this bill.

The Maryland road tests also show that for each additional 1,000 pounds of weight that is put on the axle, that the highways are deteriorated by 50 percent more deterioration. A 5 percent tolerance which is not allowed in the present law, but which is given to them in this law, would indicate that you will deteriorate your highways at a greater rate by 50 percent, if this bill becomes law.

Let us look at the picture this way. Eighty-eight percent of truckers in the United States operate trucks the size of two tons or less. The bill in question before the House would affect less than 5 percent of the trucks used on the Pennsylvania highways. There are 41,000 miles of state highways in the state. Are we going to allow 5 percent of the traffic that uses our highways to deteriorate our highways for the other 95 percent?

We have just recently taken our farmers out of the mud. Under this bill we are asking that they be put back into the mud. There are no limitations in this bill as to where a truck can travel. There are no limitations in this bill as to what roads they must use and they can pound and cut any roads anywhere in the state of Pennsylvania they want.

If you will look at this bill carefully and review it in all of its parts, you will find sleepers throughout it, which increase almost to double some of the rights which the truckers now have in the use of our highways and their penalties are not increased accordingly.

They give us a couple of lollipops in here, of course, too, by way of stating that they will do something about adjusting the brakes on the trucks so they will not be so dangerous. I think you almost daily pick up the newspapers and find where brake failures have resulted in some damage to a runaway truck, or what have you.

If they can put their brakes in that condition with this bill, there is no reason why they cannot put their brakes in condition without this bill. And to me that is only a little piece of a lollipop to try to sweeten you up to pass this bill by saying they are trying to make the highways safe for you. We have just finished talking about safety matters.

About the speed with which they go up the hills. If second gear means that you have to go up the hill at a certain speed if they get this bill, they certainly can get the trucks to go up the hill at the speed that they said they can go without this bill.

This bill in an overall concept is nothing but an attempt, in my opinion, to grant greater weights to truckers to further deteriorate the highways for the use of 95 percent of our traveling public.

You who travel back and forth to Harrisburg on the Turnpike and on the other roads, how many times have you seen trucks racing each other? How many times have you, traveling at the legal rate of 50 miles an hour, had trucks pass you? How many times have you had a truck come in front of you in sight of a lot of traffic? They are endangering the highways. They seem to have lost their sense of responsibility in many respects on that.

All I can say to you in conclusion is this: I can remember in the days before prohibition that there used to be a song running around the country that the brewers big horses can't run over me. I am just asking you today to say to the truckers that the big truckers can't run over us.

Mr. MORAN. Mr. Speaker, I rise to oppose this bill. I

did have a lot of data here that I was going to go into. However, I am going to make it very brief.

I have several communications here regarding this bill. I have one here from the Civic Club of Allegheny County, in which they state that after careful study the Civic Club of Allegheny County declared that this bill is not in the public interest. It would amend the present truck regulations increasing the gross and axle weight. The weight limits in this proposal are generally higher than those proposed in 1951, and in the opinion of those who have closely studied this measure, would adversely affect the State highway system. It was pointed out that the state must carefully consider the preservation of the roads which it now has since, in its present financial condition and with the need for additional roads increasingly apparent, it is a matter for serious thought.

Only 10 percent of the present state highways, according to engineering opinion available to the Civic Club, is strong enough to carry the maximum loads proposed in the bill, and there is no practical way to restrict these heavier trucks to the strongest roads.

I'll cut that one short, Mr. Speaker.

There is another one here from the Pennsylvania State Association of Township Commissioners. At least 12 large organizations in the state have been asked their opposition to the big trucks bill, House Bill 1390, which would raise the Pennsylvania's allowable truck weights from 45,000 to 66,150 pounds.

Attached is a list of the organizations which speak for a membership totalling more than one million Pennsylvanians.

The Association of First Class Townships and these other organizations are opposed to the big truck bill for one or more of the following reasons:

Many of our roads and bridges have already damaged by the heavier trucks and will be much more damaged by heavier trucks.

Heavy trucks already create safety hazards on the highways and will create even more if they are allowed to become heavier.

The big truck bill makes no attempt to tax trucks in proportion to their responsibility for road costs, and does not even increase their fees in proportion to the weight increases it provides.

July 6th, 1953.

Dear Rep. Moran:

At least twelve large organizations in this state have announced their opposition to the Big-Truck Bill (HR 1390), which would raise Pennsylvania's allowable truck weights from 45,000 to as much as 66,150 pounds.

Attached is a list of these organizations. They speak for a membership totaling more than 1,000,000 Pennsylvanians.

The Association of First Class Townships and these other organizations are opposed to the Big-Truck Bill for one or more of the following reasons:

1. Many of our roads and bridges have already been damaged by heavy trucks and will be much more damaged by heavier trucks;

2. Heavy trucks already create safety hazards on our highways, and will create even more if they are allowed to become heavier, and

3. The Big-Truck Bill makes no attempt to tax trucks in proportion to their responsibility for road costs and does not even increase their fees in proportion to the weight increases it provides.

We sincerely believe that weight increases are not in the best interests of Pennsylvanians and urge you not to sacrifice the wishes of the majority for the pressures of the minority.

H. A. FRITSCHMAN,
Secretary
Assn. of First Class Townships,
2325 Darby Road,
Havertown, Pa.

We sincerely believe that weight increases are not in the best interest of Pennsylvanians and urge you not to sacrifice the wishes of the majority for the pressure of the minority.

Groups opposing House Bill 1390 are as follows, a few of the many:

Pennsylvania Association of First Class Townships, Pennsylvania Association of Township Supervisors, Pennsylvania League of First Class Cities, Pennsylvania Association of Boroughs, Penn State Grange, Pennsylvania CIO Council, Keystone Automobile League, Pittsburgh Motor Club, United Railroad Labor Committee, Brotherhood of Locomotive Firemen and Enginemen, Brotherhood of Locomotive Engineers, Brotherhood of Railway Clerks, Brtherhood of Railroad Trainmen Legislative Committee.

In addition to what I have already read here is a statement from the Pennsylvania Township News: which is quite lengthy. I think I shall pass it over with permission from the Speaker to the Reporter here and have it inserted in the record.

Mr. Speaker, rather than go on with this lengthy communications that I have here, I would like to hand these over to be put into the record.

The SPEAKER. Without objection. The gentleman's information will be put on the records.

TOWNSHIPS OPPOSE BIGGER TRUCK BILL

The Pennsylvania State Association of Township Supervisors announced on June 11th renewed opposition to any increase in Pennsylvania's legal truck weights.

H. A. Thomson, Secretary of the Asociation, termed House Bill 1390, now before the Legislature, "An even bigger truck bill than the 1951 measure vetoed by Governor Fine." He called the bill "the most damaging proposal the truckers have ever made in their attempts to secure higher payloads without proper safeguards of the Commonwealth's multi-billion dollar highway system under both state and local control."

Thomson said he was carrying out the dictates of a unanimously approved resolution of the Association calling for "no increases in legal truck weights" and "a weight-distance tax to make the heavy commercial vehicles pay a part of their share of highway costs."

In opposing the measure, Thomson said, "This Bigger Truck Bill would permit an increase in gross weight limits of 21,150 pounds; from the present 45,000 pounds to a legalized 66,150 pounds."

He said the proposal to raise axle limits to 21,000 pounds "directly contradicts the findings of the Maryland Road Test and the warnings of Pennsylvania's highway department." The Maryland test he declared, proved that any axle load above 18,000 pounds causes excessive road damage. He said that the Commonwealth and its local subdivisions "cannot afford to subject its highways and bridges to such punishing loads just for the benefit of a few thousand big trucks, many of them from out of state." "We must remember," he added, "that local roads are largely paid for and maintained by local property taxes and every

taxpayer is directly affected by this proposed legislation."

The Township Supervisors, Thomson said, have been opposed to increased truck weights "as long as I can remember. As elected officials, we could not possibly endorse any legislation which would threaten the 45,000 miles of roads and the 10,000 bridges for which we are responsible."

* * *

The above release to all newspapers in the State is self-explanatory. Time is very short and this bill will be rushed. Every township official should immediately contact or write his legislator to oppose this bill (H-1390).

1953 PENNSYLVANIA "BIG TRUCK BILL"—HOUSE 1390

Analysis

Registration Fees:

Fees are increased only where weight is increased. with increase, Penna. will rank 45th.

Fees for 2 axle trucks or tractors are raised about 10%; three axle trucks or tractors, 8% to 18%; single axle trailers, 12%; and tandem axle semi-trailers, 27%.

For a "Y" class tractor and a tandem axle semi-trailer, the increase would be 17%.

For a "Z" class tractor and a tandem semi-trailer, the increase would be 15%.

	Class
Single axle	.....
Tandem axle	.....
Two axle truck	Z
Three axle truck .....6666....	ZZ
Two axle tractor and single axle semi-trailer	Z & G
Two axle tractor and two axle semi-trailer ..	Z & G
Truck and Full Trailer	Z & G

Maximum gross for combinations determined by formula recommended by Joint State Government Commission—weight equals 36,000 lbs. plus 750 (D - 4), where D is the distance between front and rear axles.

An additional 5%, for all purposes, is allowed on single axle and gross weight limits. The bill is so worded that the practical maximum on all weight limits, with exception of tandem axle weight limit, is 5% above that specified. (See unloading provisions below).

Penalties:

No penalty weight is more than 5% over limit, except for overloads of tandem axles.

Fines for axle load violations .....$ 25
(Present fines are $25 for 5% to 10% overload and $50 for violation over 10%).

Fines for gross load violations $100
plus $2 for each 100 lbs. by which the gross weight exceeds the maximum gros weight plus 3100 lbs.
(Present fines are $25 for 5% to 10% overload and $50 for violation over 10%)

If the weight upon the axle or pair of axles exceeds the maximum allowed, or, if the gross weight exceeds the maximum gross weight allowed but does not exceed 50,400 lbs., the officer may require the trucker to reduce or rearrange his load. If the gross load exceeds the maximum limit and also exceeds 50,400 lbs., unloading is mandatory. The tolerance provision applies to these rules, with the effect that a single axle load of 21,000 lbs., may be retained, and a gross load of 5% above the maximum may be retained. Failure of the trucker to obey unloading instructions is punishable by a fine of $100, and a possible suspension of his operating privilege for 30 days.

Increases fine from $50 to $100 for violation of posted road weight limits.

Engine Capacity:

Engine must be capable of propelling truck up a 2% grade at not less than 20 miles per hour when loaded to its maximum gross weight. Average grade in Penna is 4%—fine for violation is trivial—only $10—enforcement practically impossible.

Present	Proposed	Plus 5% Tolerance
20,000 lbs.	20,000 lbs.	21,000 lbs
36,000 lbs.	36,000 lbs.	No tolerance
30,000 lbs.	33,000 lbs.	34,650 lbs.
40,000 lbs.	47,000 lbs.	49,350 lbs.
45,000 lbs.	53,000 lbs.	55,650 lbs.
45,000 lbs.	63,000 lbs.	66,150 lbs.
62,000 lbs.	66,750 lbs.	70,087 lbs.

Effective Dates:

Weight and penalty provisions effective immediately; increased fees, June 1, 1954; brake and engine requirements, June 1, 1955.

GROUPS OPPOSING HOUSE BILL 1390

Penna. Assn. First Class Townships
Penna. Assn. Township Supervisors
Penna. League Third Class Cities
Penna. Assn. of Boroughs
Penna. State Grange
Penna. State CIO Council
Keystone Automobile Club
Pittsburgh Motor Club
United Railroad Labor Comm.
Brotherhood Locomotive Eng.
Brotherhood Railway Clerks
Railroad Brotherhood Legislative Comm.

WHAT THEY SAY

Assn. of Boroughs—". . . opposes HB 1390 or any other legislation which increases permissible truck weights."

Township Supervisors—"most damaging proposal the truckers have ever made in their attempts to secure higher payloads . . ."

Railroad Labor Comm.—". . . opposed to any legislation which will benefit a small minority of highway users at the expense of the majority of motorists and taxpayers."

CIO Council—". . . inconceivable to presume roads will not deteriorate at a greater pace . . ."

Brotherhood Legislative Comm.—"We ask your support and influence towards defeat of this bill."

Third Class Cities—"HB 1390 . . . should be opposed for the benefit of city maintained streets."

Keystone Auto Club—". . . We must insist that the beneficiaries pay the piper."

State Grange—"All citizens interested in the protection and safety of our highways should insist that no additional weight be permitted."

Pittsburgh Motor Club—"What and whose taxes will pay for this destruction?"

Assn. of First Class Townships—"opposes any legislation which increases permissible truck weight such as HB 1390."

Be it reolved that the Pennsylvania State Association of Township Commissioners, through its legislative committee, go on record with the 1953 Pennsylvania Legislature that it is unalterably opposed to the enactment of any law which legalizes the increase of the load limit of commercial vehicles as now established by the laws of the Commonwealth.

CIVIC CLUB OF ALLEGHENY COUNTY

July 8, 1953

Dear Mr. Moran:

After careful study the Civic Club of Allegheny County declared as NOT IN THE PUBLIC INTEREST

—H. B. 1390 which would amend the present truck regulations granting increases in gross and axle weights.

The weight limits in this proposal are generally higher than those proposed in 1951 and, in the opinion of those who have closely studied this measure, would adversely affect the state highway system. It was pointed out that the state must carefully consider the preservation of the roads which it now has since, in its present financial condition and with the need for additional roads increasingly apparent, it is a matter for serious thought.

Only ten percent of the present state highways, according to engineering opinion available to the Civic Club, is strong enough to carry the maximum loads proposed in the bill and there is no practical way to restrict these heavier trucks to the strongest roads.

While several neighboring states do permit heavier gross loads than Pennsylvania does, the axle load is the important factor. H. B. 1390 would establish a five percent tolerance on the axle load before a fine could be imposed and this would mean a 21,000 pound axle load without penalty. This is 3,000 pounds in excess of the 18,000 figure accepted in agreement between the American Association of State Highway Officials and Truck Manufacturers. The import of this agreement was that highways and trucks would be designed with the same load limits in mind. Thirty-four states have an axle load limit of 18,000 pounds. The Maryland road tests indicated that axle loads limits above 18,000 pounds caused about six and one-half times the roadway damage caused by the 18,000 load.

The higher registration fees and the revised penalty system will not, in the Civic Club'c opinion, compensate the state for the greater destruction of highways to be expected from the loads permitted by H. B. 1390 and we would respectfully request your help in keeping this measure from becoming a state law.

Sincerely,

A. PERRY EVERSTINE
President

PENNSYLVANIA CIO COUNCIL

June 23, 1953

To the Honorable Members
of the House of Representatives

House Bill No. 1390

Dear Sir:

This bill is designed to increase maximum truck weight limits by as much as 18,000 pounds on certain type vehicles.

It seems inconceivable to us to presume that roadbeds will not deteriorate at a greatly accelerated pace by the hauling of these additional nine tons.

This increase in allowable weight is graduated all along the line starting with present maximum 30,000 pound limit, not only in the greatest maximum limits. So that percentagewise there would be more trucks hauling greater weights than ever before.

The roads belong to all the people. Increased fees and penalties for violation will not replace broken roadbeds.

The world's greatest highway, the Pennsylvania Turnpike, attests to what an awful beating these heavy loads at present weight limits do to a good road. The extreme right lane in each direction of the original stretch from Carlisle to Irwin is really being broken up.

Pennsylvania roads are extremely good compared to those of neighboring states. That might attest to the wisdom of having reasonable weight limits for trucks.

We should probably be more concerned with the condition of our roads and the possible serious effect the increasing of maximum weight limits by 18,000 pounds may have, than to be guided in this consideration by what the weight limits are in other states.

The Pennsylvania CIO Council, by Resolution adopted at its 1953 Convention in Philadelphia, is on record opposed to increasing the present maximum truck weight limits.

We respectfully solicit your vote against House Bill No. 1390 as not being in the best public interest.

Very truly yours,

HARRY BOYER, President

RAILROAD BROTHERHOOD LEGISLATIVE COMMITTEE

Harrisburg, Pennsylvania

June 23 ,1953

Honorable Members
House of Representatives
Commonwealth of Pennsylvania

The Railroad Brotherhood Legislative Committee, composed of the Brotherhood of Railroad Trainmen, Brotherhood of Locomotive Firemen and Enginemen, Brotherhood of Railway and Steamship Clerks, Order of Railway Conductors, and Brotherhood of Maintenance of Way Employees, is opposed to H.B. 1390—the Big Truck Bill.

The problem of size and weight regulation of highway vehicles to safeguard the public roads from abuse and destruction is almost as old as the first improved highway, and it unquestionably is more urgently important today than ever before. A greatly augmented and still increasing number of heavy trucks and trailers, operating for long distances at high speeds, is destroying our roads faster than we can find the money with which to replace them. Besides wrecking our highways, the huge over-loaded trucks are the cause of many fatal and near fatal accidents, and contribute greatly towards the discomfort of the traveling public.

The railroads have, of course, suffered seriously from the competition of a rival which pays only a small fraction of the cost of building and maintaining the costly roadways over which its vehicles move. The cost of maintaining the railroads' roadways has perforce to be reflected in charges for railroad service. In long-haul truck transportation, however, only a fraction of this cost is reflected in truck rates—the remainder being shouldered by other highway users and the general taxpayers. This creates an unjustifiable subsidy for one segment of the truck transportation industry, enabling that particular group to compete unfairly with the railroad industry by skimming off the cream of the transportation business leaving the railroad industry to handle a greater portion of the unprofitable commodities, thereby jeopardizing the financial stability of our railroad transportation system.

Therefore, we ask your support and influence towards the defeat of this Bill.

Very truly yours,

C. J. SLUDDEN
Pennsylvania State Legislative Board, Brotherhood of Railroad Trainmen

CHARLES C. SEARCH, Chairman
Pennsylvania State Legislative Board, Brotherhood of Locomotive Firemen and Enginemen

S. R. EDELMAN, Chairman
Brotherhood of Railway and Steampship Clerks, Freight Handlers, Express and Station Employees

J. B. McDONALD, Chairman
Pennsylvania State Legislative Board, Order of Railway Conductors

MICHAEL PETRESKY, Chairman
Pennsylvania State Legislative
Board, Brotherhood of Maintenance
of Way Employees

Mr. KENT. Mr. Speaker, I will be very, very brief, but I do want to say this.

Those Members who were here during the 1951 session will remember that I opposed this bill at that time on the basis that there were not any adequate, unbiased, impartial facts before this Legislature on which they could intelligently act upon the truck bill of 1951. Apparently his Excellency felt the same way and directed the Joint State Government Commission to make a study.

This bill admittedly does not follow the recommendations of the Joint State Government Commission, nor does it follow the recommendations which have been made by the Pennsylvania State Highway Department. So, I feel we are in the same position today on the 1953 truck bill as we were in 1951. I had hoped that I would be able to come down this year and vote on a truck bill, whichever one would be satisfied with, and which would fit the circumstances so far as our highways in Pennsylvania are concerned.

We cannot do that today. I am still opposed to this bill because it does not follow the recommendations of our own fact-finding body, and I ask and hope that the Members will vote it down until we can have a bill which has been recommended by our own body and by our Highway Department.

Mr. LEONARD. Mr. Speaker, this will be very short and to the point.

The reason I am arising at this time against this bill is the article right here on the front page of the Harrisburg News. "Truck Crashes Through Wall, Driver Burnt."

Now I have no objections, I do not care how heavy they make the trucks, if the truck owners will please do something about the braking system. Why can they not stop the truck? Everybody else seems to be improving the brake system and able to stop.

Every time you read about a crash, the truck got away because the brake is bad.

Mr. VARNER. Mr. Speaker, those of you who have read this bill, and I know you all have, know that it covers the objections made here today. I would like to read this telegram to you, addressed to me at the House of Representatives.

> "Am advised that House Bill 1390 pending before your body would permit tandem axle semi-trailers in Pennsylvania to carry a gross weight load averaging about 58,500 pounds. This measure, if passed would bring your state limitation more in line with those of the surrounding states, and would facilitate the highway movement of the dense traffic in which I must maintain a continuing interest." Signed, James A. Knudsen, Administrator of Defense Transporattion Administration, Washington, D. C.

Mr. GOODLING. Mr. Speaker, if I might borrow the words of one of my colleagues on the other side of the floor, I could say I am confused. To eliminate this confusion I should like about one-half minute's privilege of interrogating the gentleman from Lancaster, Mr. Royer.

The SPEAKER. Will the gentleman from Lancaster, Mr. Royer, permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. GOODLING. Mr. Royer, you are Chairman of the Joint State Government Commission, that is correct, is it not?

Mr. ROYER. It is.

Mr. GOODLING. Will you, in just as few or as many words as you care to use, tell us whether or not this bill does conform with the findings and recommendations of your commission?

Mr. ROYER. This bill 1390 does not conform with the recommendations of the Joint State Government Commission.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—85

Adam,	Glick,	Limper,	Rubin,
Alexander,	Gramlich,	Lippincott,	Sarraf,
Amarando,	Guthrie,	Lutty,	Schmidt,
Andrews,	Gutendorf,	Maguire,	Schwartz,
Barkdoll,	Harris,	Markley,	Seyler,
Bazin,	Haudenshield,	Mathews,	Snider,
Bolton,	Helm,	McCann,	Spencer,
Bower,	Hersch,	McCormack,	Stimmel,
Bucchin,	Hoggard,	McGee,	Stoner,
Bullen,	Johnson,	Metz,	Sucher,
Capano,	Jones, Gran'le E.	Miller,	Varallo,
Clapper,	Jones, Paul F.,	Monroe,	Vaughan,
Comer,	Jones, T. H. W.,	Muldowney,	Weidner,
Conner,	Jump,	Ogilvie,	Wheeler,
Coyle,	Kamyk,	Parlante,	White,
Dougherty,	Keller,	Peta,	Williams,
Ewing,	Kerlin,	Pettigrew,	Yeakel,
Floyd,	Kornick,	Poltenstein,	Yetzer,
Flynn,	Kubacki,	Price,	Zeitz,
Frost,	Lafore,	Richter,	Smith, C. C., Speaker
Gibson,	Lederer,	Rosen,	
Gleason,	Leven,		

NAYS—106

Ashton,	Geer,	Mills,	Stank,
Auker,	Goodling,	Moody,	Stevenson,
Banker,	Greenwood,	Moore,	Stone,
Baumunk,	Hall,	Moran,	Strausser,
Bear,	Guss,	Moscrip,	Taylor,
Blair,	Hamilton, R. K.,	Munley,	Thomas,
Boles,	Hamilton, W. H.,	Murray, J. J.,	Thompson,
Bomberger,	Hewitt,	Murray, P. G.,	Toll,
Boory,	Hooker,	Naugle,	Tompkins,
Breisch,	Ide,	Needham,	Toomey,
Breth,	Jenkins,	Peifly,	Varner,
Brown,	Jim,	Petrosky,	Verona,
Buchanan,	Jones, Geo. E.,	Pfaff,	Wall,
Cioffi,	Kent,	Phillips,	Wallace,
Connelly,	Kohl,	Polaski,	Walsh
Cooper,	Kolankiewicz,	Polen,	Wargo,
Curwood,	Kratz,	Quisenberry,	Waterhouse,
Davis,	Kromer,	Ragot,	Welsh,
Down,	Leisey,	Reagan,	Wescott,
Downey,	Leonard,	Reidenbach,	Whitenight,
DuBois,	Lopresti,	Rovansek,	Willaredt,
Dunn,	Lovett,	Royer,	Wilt,
Erb,	Mahan,	Schuster,	Wood,
Farabaugh,	McDermit,	Scott,	Worley,
Ferster,	McInroy,	Shoemaker,	Young,
Filo,	McWherter,	Smith, W. B.,	Ziegler,
Fleischman,	Mikula,		

NOT VOTING—16

Cianfrani,	Kline,	Mihm,	Shotwell,
Cochran,	Light,	Musto,	VanSant,
Fenrich,	Maxwell,	Olsen,	Watkins,
Flack,	McCullough,	Readinger,	Whalley,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. GOODLING filed the following reasons for his vote on House Bill 1390:

In 1951 the Joint State Government Commission was instructed to make a thorough study of truck weights, considering all factors involved and make definite recommendations to this session of the General Assembly.

The study was made, facts submitted and recommendations made.

In all too many instances this bill does not conform to the recommendations of this Constitution.

For that reason I vote "No."

REASONS FOR VOTE

Mr. STRAUSSER filed the following reasons for his vote on House Bill 1390:

Due to the fact that some little pressure was brought upon me by organizations outside of Columbia County, to influence me to vote contrary to my personal convictions, and contrary to what I considered to be in the best interests of my County of Columbia, I wish to record my reasons for voting "NO," as follows:

It is a well known truth that a chain is only as strong as its weakest link, and I wish to call attention to the weak links in our state Highway System as being our bridges—especially so in Columbia County.

Columbia County is divided into two (2) parts—"North of the River" and "South of the River," referring to the North Branch of the Susquehanna. These two (2) parts are connected by very inadequate and old "Iron" bridges, as follows:

1. South Catawissa Bridge over Catawissa Creek, which is posted as being of seven (7) tons capacity. This bridge is over 500 feet long with a center span of about 190 feet, with bridge deck about 40 feet above the creek.

This bridge was built in 1906 under Act of 1895—Hon. Samuel W. Pennypacker, Governor.

2. Bridge connecting Bloomsburg to South Bloomsburg, posted at ten (10) ton capacity. This bridge is about two-tenths (2/10) of a mile long of six (6) spans, with bridge deck about thirty (30) feet above the river. This bridge was built in 1893.

3. The Mifflinville Bridge is a seven (7) span bridge, three-tenths (3/10) of a mile long, posted at ten (10) tons capacity, with deck about forty (40) feet above the river. This bridge was built in 1907.

4. The Berwick-Nescopeck Bridge was built in 1906. It is a six (6) span bridge of about 240 foot spans—is three-tenths (3/10) of a mile long, and is 50 to 60 feet above the river.

On the Berwick end of the bridge is a stop light, which causes Northbound traffic to oftentimes fill this bridge from one end to the other, with buses, cars, and trucks, and the occupants of these vehicles can feel a "sway" of this bridge deck comparable to a "hula girl" movement caused by the movement of trucks traveling in the opposite direction across this bridge.

I, personally feel that the above four (4) bridges have outlived their safe usefulness, and should be replaced before authorizing greater loads on our highways. The drivers of these loads will "take chances" (as they now do), and drive over either of these bridges, and if there should be a failure of the structure (Berwick's especially), it would without a doubt result in the loss of lives.

It will be recalled that about a year ago a bridge east of Mifflinville was completely destroyed by the weight of a single truckload of coal, causing its collapse. The driver fortunately escaped with his life in this instance. It will also be remembered that about this time, a truck driver lost his life in lower Luzerne County when the weight of his truckload of lime demolished a bridge over which he was driving.

It is my personal thought that inasmuch as there are in excess of one hundred (100) bridges in Columbia County, and probably like a number of bridges in other counties, which are badly in need of repair or replacement, the present legal truck weight should not be increased until such time as our bridges are built sufficiently strong to carry these proposed added weights.

It is because of the above that I have voted "No" on HB 1390, Printer's No. 442, commonly referred to as "The Big Truck Bill."

I wish to assure the people of Columbia County that my primary interest is in their welfare. If I wanted to be selfish in this particular matter, I should have voted to permit trucks in my construction business to carry greater loads, to save myself as much money as possible. I voted against my own personal interest in this instance.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HELM asked and obtained permission for the Committee on Education to meet during the session of the House.

TIME EXTENDED ON BILL

Mr. BOLTON asked and obtained unanimous consent to extend the time five days on House Bill No. 1216, Printer's No. 326, on page 50 of today's calendar, bills on final passage postponed.

QUESTION OF PERSONAL PRIVILEGE

Mr. CURWOOD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. CURWOOD. Mr. Speaker, due to certain circumstancse beyond my control, I was unable to be in the House when the rollcall was taken on the Sales Tax (House Bill 909) yesterday, if I would have been present I would have voted "no" and I would like to be so recorded.

REPORT FROM COMMITTEE

Mr. JOHNSON. At the 12:01 Session that we had on July 1, a very important resolution was introduced by the gentleman from Adams, Mr. Worley. Because of the fact that there were just a few Members present and it being more or less a privileged resolution, we thought we would hold it until we had more Members present.

I, therefore, at this time am reporting from the Committee on Rules a resolution offered by the gentleman from Adams, Mr. Worley.

Mr. WORLEY offered a resolution which was read, considered and adopted as follows:

RESOLUTION

CONGRATULATIONS

In the House of Representatives, July 1, 1953.

Bradley Mousley French came into this world Saturday morning, June 27 at the Harrisburg Hospital as one of the Blessed Events of the 1953 session of the Pennsylvania General Assembly.

Young Bradley, son of Ben I. French, Jr., who covers this House for the Associated Press is the latest addition to the Capitol Hill news corps. He weighed in at seven pounds, 10½ ounces.

Back in the 1949 session Mr. French married Marjorie Mousley of Philadelphia. Then in the 1951 session along came Gary Ben French.

The House of Representatives hereby extends its congratulations to Mr. and Mrs. French, 2665 Green Street, Harrisburg, and hopes that they will be aple to come up with something similar for the 1955 session. The Clerk of the House is hereby requested to send copies of this resolution to the French family.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 168, Printer's No. 508,

House Bill No. 1203, Printer's No. 447 and

Senate Bill No. 96, Printer's No. 382,

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 466, Printer's No. 405,

House Bill No. 627, Printer's No. 373,

House Bill No. 834, Printer's No. 345,

House Bill No. 880, Printer's No. 420,

House Bill No. 960, Printer's No. 406,

House Bill No. 1218, Printer's No. 408,

House Bill No. 1276, Printer's No. 409 and

House Bill No. 1277, Printer's No. 410,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1281, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for parks recreation areas and facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The article heading of Article XXXVII and Sections 3701 and 3702 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) are hereby further amended to read as follows

Article XXXVII

Parks [Playgrounds and] Recreation [Centers] Areas and Facilities

Section 3701 Plans of Parks [and Playgrounds] Recreation Areas and Facilities Every city shall have a general plan of its parks [and playgrounds] recreation areas and facilities including those which have been or may be laid out but not opened Said plan shall be filed in the office of the engineer or other proper office of the city and all subdivisions of property thereafter made shall conform thereto The location of parks [or playgrounds] recreation areas and facilities laid out and confirmed by authority of council shall not afterwards be altered without the consent of council No map or plot of parks [or playgrounds] recreation areas and facilities shall be entered or recorded in any public office of the county in which said city is situated until approved by council No person shall hereafter be entitled to recover any damages for the taking for public use of any building or improvements of any kind which may be placed or constructed upon or within the lines of any located park or [playground] recreation area after the same shall have been located or ordained by council

Section 3702 Lands for Planned Parks and Recreation areas to be Appropriated within Three Years Whenever any park parkway [or playground] or recreation area may hereafter be superimposed upon the confirmed plan of the streets [or] parks and recreation areas of any city in sections not entirely built up by ordinance of council unless an ordinance actually appropriating the land within the lines of said park parkway [or playground] or recreation area to public use is duly passed by council thereof or said land is acquired by council within three years from the passage of said ordinance superimposing said plan upon said land said ordinance superimposing said plans upon said land shall be void and of no effect and said plan shall be automatically removed from said land as if it had never been placed thereon nor shall any plan again be superimposed on said land without an accompanying ordinance condemning same to public use

Section 2 Section 3703 of the act as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1515) is hereby further amended to read as follows

Section 3703 Acquisition of Lands and Buildings Cities may separately or jointly enter upon take use purchase and acquire by gift or by the right of eminent domain lands property and buildings for the purpose of making extending enlarging and maintaining [recreation places which shall consist of] public parks [parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] recreation areas and facilities Cities may construct and equip new facilities upon such lands and may levy and collect such taxes or special taxes as may be necessary to pay for the same and make appropriations for the construction improvement maintenance care regulation and government of the same Cities may designate and set apart for use for any of the purposes specified in this section lands and buildings owned by such cities and not dedicated or devoted to other public use Cities may also lease lands and buildings in such cities for temporary use for such purposes Lands property and buildings outside the limits of the city may be acquired in like manner for [recreation places] parks recreation areas and facilities and such lands may be annexed to the city in the manner provided by this act for the annexation of territory to a city

Section 3704 Creation of Recreation Board The authority to supervise and maintain [recreation places] parks recreation areas and facilities and to conduct recreation programs may be vested in any existing body or board or in a recreation board as council shall determine Council may equip operate and maintain the [recreation places] parks recreation areas and facilities as authorized by this act Such authorities [may] shall for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper [Where more than one-half the full costs of the supervision and maintenance of the recreation places including the compensation of all the officers and employes are borne by the city the compensation of such officers and employes shall be fixed by council Provided however That in such cases council may delegate this power to the recreation commission] If council shall determine that the power to equip operate and maintain parks recreation areas and facilities

shall be placed in a recreation board such board shall possess all the powers and be subject to all the responsibilities of council under this article The recreation board shall with the approval of council exercise its powers and duties in establishing standards policies qualifications and salary schedules for all classifications of recreation employes Whenever boroughs cities counties townships school districts or any of them wishes to develop a cooperative plan of recreation service with a city the recreation board shall have the power to adjust the personnel standards policies qualifications and salary schedules as established to meet the terms of a joint operation agreed upon

Section 4 Sections 3705 3706 3707 3708 and 3709 of the act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) are hereby further amended to read as follows

Section 3705 Composition of Board [If council shall determine that the power to equip operate and maintain recreation places shall be exercised by a recreation board they may establish in said city such recreation board which shall possess all the powers and be subject to all the responsibilities of council under this article Such board] Recreation boards when established shall consist of five or seven persons two of whom shall be members or appointees of the school board The board shall be appointed by the mayor with the approval of council and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the [term of one member] terms of not more than two members shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment All persons so appointed shall serve their full terms unless they shall voluntarily resign or be removed by council for malfeasance or nonfeasance of duty Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 3706 Organization of Board [Employes] Powers and Duties Delegated to the Board by Council The members of a recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and [may] shall employ such persons as may be needed as authorized by this article Such board shall have power to adopt rules and regulations for the conduct of all business within its jurisdiction Such jurisdiction shall include the right to select employ and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to council including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditures involved and the public needs to be met

Section 3707 Joint Ownership and Maintenance Any city may jointly with any other cities boroughs or townships or any of them acquire property for and operate and maintain any [recreation places] parks recreation areas and facilities Any city may join with any school district in equipping operating and maintaining [recreation places] parks recreation areas and facilities and may appropriate money therefor

Section 3708 Issue of Bonds The city council may issue general obligation bonds for the purpose of acquiring lands or buildings for [recreation places] parks recreation areas and facilities and for the equipment therefor

Section 3709 Maintenance and Tax Lavy All expenses incurred in the maintenance and operation of such [recreation places] parks recreation areas facilities and programs established as herein provided shall be payable from the [treasury] general fund of the city or cities boroughs townships county or school districts in accordance with any joint agreement Council may annually appropriate and cause to be raised by taxation [such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such city for the purpose of maintaining and operating recreation places] an amount necessary for the purpose of maintaining and operating the public parks recreation areas facilities and programs In addition council may levy a special tax not to exceed two mills on the dollar of the assessed valuation of the taxable property in such city for recreation puropses

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	McCann,	Scott,
Amarando,	Goodling,	McCormack,	Seyler,
Andrews,	Gramlich,	McCullough,	Shoemaker,
Ashton,	Greenwood,	McDermit,	Shotwell,
Auker,	Guss,	McGee,	Smith, W. B.,
Banker,	Gutendorf,	McInroy,	Snider,
Barkdoll,	Guthrie,	McWherter,	Spencer,
Baumunk,	Hall,	Metz,	Stank,
Bazin,	Hamilton, R. K.,	Mihm,	Stevenson,
Bear,	Hamilton, W. H.,	Mikula,	Stimmel,
Blair,	Harris,	Miller,	Stone,
Boles,	Haudenshield,	Mills,	Stoner,
Bolton,	Helm,	Monroe,	Strausser,
Bomberger,	Hersch,	Moody,	Sucher,
Boory,	Hewitt,	Moore,	Taylor,
Bower,	Hocker,	Moran,	Thomas,
Breisch,	Hoggard,	Moscrip,	Thompson,
Breth,	Ide,	Muldowney,	Toll,
Brown,	Jenkins,	Munley,	Tompkins,
Bucchin,	Jim,	Murray, J. J.,	Toomey,
Buchanan,	Johnson,	Murray, P. G.,	Varallo,
Bullen,	Jones, Geo. E.,	Musto,	Varner,
Capano,	Jones, Gran'le E.,	Naugle,	VanSant,
Cianfrani,	Jones, Paul F.,	Needham,	Vaughan,
Cioffi,	Jones, T. H. W.,	Ogilvie,	Verona,
Clapper,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Reagan,	Wilt,
Fenrich,	Leven,	Reidenbach,	Wood,
Ferster,	Limper,	Richter,	Worley,
Filo,	Lippincott,	Rosen,	Yeakel,
Flack,	Lopresti,	Rovansek,	Yetzer,
Fleischman,	Lovett,	Royer,	Young,
Floyd,	Lutty,	Rubin,	Zeitz,
Flynn,	Maguire,	Sarraf,	Ziegler,
Frost,	Mahan,	Schmidt,	Smith, C. C., Speaker
Geer,	Markley,	Schuster,	
Gibson,			

NAYS—1

DuBois,

NOT VOTING—6

Cochran,	Light,	Readinger,	Watkins,
Kline,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1324, Printer's No. 411,

House Bill No. 1347, Printer's No. 381,
House Bill No. 1348, Printer's No. 441, and
House Bill No. 1349, Printer's No. 336
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1359, as follows:

An Act to add clause (i) to section one thousand eight hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand eight hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions and officers fixing the and duties of the Governor and other executive and administrative officers and of the several administrative epartments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1362) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 1803 Forests Powers The Department of Forests and Waters shall have the power

* * * * *

(i) To lease with the approval of the Governor State forest lands for the underground storage of natural gas upon such terms and conditions as the Secretary of Forests and Waters deems to be in the best interest of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HALL. Mr. Speaker, I should like at this time to thank the gentleman from Crawford, Mr. Kent, for giving a plug to this bill, it is a good bill.

May I add just one word of admonition. Had I seen fit to enter the argument on 1240, I should have passed a word of admonition to our struggling industrial giants and say if we were as properly aware of state's rights as we are nationally concerned over the Tidelands, we would take over the depleted gas lands as an asset to the state.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Comer,	Jump,	Olsen,	Wall,
Connelly,	Kamyk,	Parlante,	Wallace,
Conner,	Keller,	Peifly,	Walsh
Cooper,	Kent,	Peta,	Wargo,
Coyle,	Kerlin,	Petrosky,	Waterhouse,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Reagan,	Wilt,
Fenrich,	Leven,	Reidenbach,	Wood,
Ferster,	Limper,	Richter,	Worley,
Filo,	Lippincott,	Rosen,	Yeakel,
Flack,	Lopresti,	Rovansek,	Yetzer,
Fleischman,	Lovett,	Royer,	Young,
Floyd,	Lutty,	Rubin,	Zeitz,
Flynn,	Maguire,	Sarraf,	Ziegler,
Frost,	Mahan,	Schmidt,	Smith, C. C., Speaker
Geer,			

NAYS—0

NOT VOTING—6

Cochran,	Light,	Readinger,	Watkins,
Kline,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,
House Bill No. 1393, Printer's No. 444,
was passed over at the request of Mr. AUKER.

There being no objection,
House Bill No. 1405, Printer's No. 412,
House Bill No. 1446, Printer's No. 415,
Senate Bill No. 85, Printer's No. 41,
Senate Bill No. 207, Printer's No. 278,
Senate Bill No. 326, Printer's No. 94, and
Senate Bill No. 471, Printer's No. 160,
were passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEES

Mr. WESCOTT, from the Committee on Education, reported as committed, House Bill No. 1236, entitled:

An Act to further amend Section 751 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the amount of expenditures which may be made without bids where work is for maintenance or alterations.

Mr. SCHMIDT, from the Committee on Education, reported as committed, House Bill No. 1537, entitled:

An Act to further amend Subsection (b) of Section 2511.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the approval by the Department of Public Instruction of leases heretofore entered into by school districts with Municipality Authorities and non-profit corporations; prescribing the powers of the department as to such leases and the payment of reimbursement moneys to the school district and validating certain leases and approvals heretofore made.

Mr. SEYLER, from the Committee on Education, reported as committed, Senate Bill No. 70, entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts by the school district.

BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on July 8, 1953, the following bills were read the first time:

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1236, entitled:

An Act to further amend Section 751 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the amount of expenditures which may be made without bids where work is for maintenance or alterations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1537, entitled:

An Act to further amend Subsection (b) of Section 2511.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the approval by the Department of Public Instruction of leases heretofore entered into by school districts with Municipality Authorities and nonprofit corporations; prescribing the powers of the department as to such leases and the payment of reimbursement moneys to the school district and validating certain leases and approvals heretofore made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 70, entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts by the school district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. WALSH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS INTRODUCED AND REFERRED

By Mr. VAUGHN. HOUSE BILL No. 1579.

An Act to further amend the Table in Section 404 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further providing for the rate and amount of benefits.

Referred to the Committee on Workmen's Compensation.

By Mr. RICHTER. HOUSE BILL No. 1580.

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnish-

ing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases, for search and siezure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by providing for the issuance of public service liquor license to scheduled commercial air line companies for sale of liquor and malt and brewed beverages on passenger planes.

Referred to the Committee on Liquor Control.

By Mr. TOMPKINS. HOUSE BILL No. 1581.

An Act to further amend the act, approved the second day of June, one thousand eight hundred seventy-four (P. L. 271) entitled "An act authorizing the formation of partnership associations, in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances," by further regulating partnership associations; requiring them to file statements with and pay certain bonus, fees and charges to the Department of State; requiring foreign partnership associations to designate the Secretary of the Commonwealth as their attorney upon whom legal process against them may be served.

Referred to the Committee on Judiciary.

By Mr. TOMPKINS. HOUSE BILL No. 1582.

An Act to further amend Section 204 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations, by permitting certain corporations not for profit to register their corporate names with the Department of State.

Referred to the Committee on Judiciary.

By Mr. TOMPKINS. HOUSE BILL No. 1583.

An Act to add Section 4.1 to the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1633), entitled "An act providing and regulating State assistance for housing, including slum clearance and redevelopment; and making an appropriation," by authorizing investment of public funds in authority obligations issued for assisted projects.

Referred to the Committee on State Government.

By Messrs. THOMAS and GEER. HOUSE BILL No. 1584.

An Act validating certain contracts and employments entered into between Municipality Authorities and persons, where the same person holding a contract as architect for a project shall have later been employed by the Authority to perform other services and duties.

Referred to the Committee on Municipal Corporations.

By Mr. ROYER. HOUSE BILL No. 1585.

An Act to amend Route Two Hundred and One of Section 6 of the act, approved the thirty-first day of May, one thousand nine hundred eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways; and State-aid highways; providing method of aplication for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing penalty for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal or certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by changing route two hundred one.

Referred to the Committee on Highways.

Mr. ROYER. HOUSE BILL No. 1586.

An Act to amend Section 1 of the act, aproved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 787), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by deleting Route 676.

Referred to the Committee on Highways.

By Mr. ROYER. HOUSE BILL No. 1587.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain town-

ship roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certan structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes and adding certain new routes.

Referred to the Committee on Highways.

By Mr. ROYER. HOUSE BILL No. 1588.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public uitility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elemination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and apropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

Referred to the Committee on Highways.

By Mr. ROYER. HOUSE BILL No. 1589.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

Referred to the Committee on Highways.

By Mr. ROYER. HOUSE BILL No. 1590.

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction," by removing additional roads from the State highway system.

Referred to the Committee on Highways.

By Mr. ROYER. HOUSE BILL No. 1591.

An act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

Referred to the Committee on Highways.

By Mr. VAUGHAN. HOUSE BILL No. 1592.

An Act to further amend Sections 441 and 442 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by increasing the salaries of the members of the Workmen's Compensation Board and of the Workmen's Compensation Referees.

Referred to the Committee on Appropriations.

By Mr. BOWER. HOUSE BILL No. 1593.

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

Referred to the Committee on Appropriations.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 305.

An Act to further amend Section 1 of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by designating employes of the county planning commission as county employes.

HOUSE BILL No. 317.

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

HOUSE BILL No. 381.

An Act to amend section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways.

HOUSE BILL No. 382.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township.

HOUSE BILL No. 585.

An Act to further amend subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehilces imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the possession of certain certificates of inspection and approval.

HOUSE BILL No. 688.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolly omnibuses, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by regulating the transfer and temporary use of registration plates for motor vehicles, trailers and semi-trailers in cases involving husband and wife.

HOUSE BILL No. 777.

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata township Lancaster County Pennsylvania with the approval of the Governor.

HOUSE BILL No. 789.

An Act to add Section 54.1 to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglary and requiring the county to pay the cost of such insurance

HOUSE BILL No. 806.

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville, Jefferson County, Pennsylvania, with the approval of the Governor.

HOUSE BILL No. 883.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon the owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by re-defining certain terms and eliminating and changing certain provisions relating to lighting equipment.

HOUSE BILL No. 1086.

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) as amended entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

HOUSE BILL No. 1298.

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

HOUSE BILL No. 1300.

An Act to add section five to the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth, showing the location of the same and the geologic formations encountered therein, and to make copies of such records available upon payment of prescribed fees; and providing fees and penalties," by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund, and directing that appropriations to carry out the provisions of the act are made from the General Fund, upon proper budgetary request.

HOUSE BILL No. 1353.

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly

HOUSE BILL No. 1355.

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 33, 34, 118, 342, 392, 430, 433, 463, 605, 682, 683, 704, 708, and 709.

ADJOURNMENT

Mr. WHALLEY. Mr. Speaker, I move that this House do now adjourn until Monday, July 13, 1953 at 1:00 p. m., E. S. T.

The motion was agreed to, and (at 5:35 p. m., E. S. T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., FRIDAY, JULY 10, 1953. No. 63.

SENATE

FRIDAY, July 10, 1953.

The Senate met at 9:00 o'clock a. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (John M. Walker) in the Chair.

PRAYER

The Chaplain, Reverend Philip Senft, Pastor of Trinity Evangelical and Reformed Church, Everett, Pennsylvania, offered the following prayer:

God of our fathers, by whose lips Thy name was spoken more often and in deeper reverence than in our own time, as has been depicted upon these walls which surround us, may Thy presence be seen anew among the people of this Assembly, the States and the Nation that we, by seeking first the Kingdon of God and His righteousness, may see these earthly blessings which we seek added unto us.

In Christ the Redeemer, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PEELOR, further reading was dispensed with, and the Journal was approved

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as amended Senate Bill No. 14, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 948), entitled "An act authorizing the laying out, and taking over by the Secretary of Highways, with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction, reconstruction and maintenance, at the expense of the Commonwealth and making an appropriation," by authorizing the Department of Highways to add two new routes in Cumberland, Delaware and Philadelphia Counties.

He also, from the Committee on Highways reported as committed House Bill No. 27, entitled:

An Act to amend Section 2 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties uponthe Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

He also, from the Committee on Highways reported as committed House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

He also, from the Committee on Highways reported as committed House Bill No. 854, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this oct conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing

that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds by regulating the passing of vehicles at intersections the use of highways by pedestrians and imposing penalties.

He also, from the Committee on Highways reported as committed House Bill No. 1126, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

He also, from the Committee on Highways reported as committed House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Deparement of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

He also, from the Committee on Highways reported as committed House Bill No. 1415, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

Mr. WOLFE, from the Committee on Highways, reported as committed Senate Bill No. 722, entitled:

An Act to reenact and further amend Subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for certain exemptions from fees charged for certificates of title and registration of motor vehicles.

Mr. FLEMING, from the Committee on Education, reported as committed Senate Bill No. 263, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of making payments to certain school districts operating high schools.

He also, from the Committee on Education, reported as committed House Bill No. 336, entitled:

An Act to amend section one thousand one hundred seventy of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto", by further providing for sabbatical leaves of absence.

He also, from the Committee on Education, reported as committed House Bill No. 461, entitled:

An Act to amend section one thousand one hundred sixty-six of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws thereto," by further providing for sabbatical leaves of absence.

He also, from the Committee on Education, reported as committed Senate Bill No. 661, entitled:

An Act to further amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hun-

died forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting Commonwealth payments to school districts on account of obligations to the State Public School Building Authority, municipality authorities and non-profit corporations, where the districts have not exhausted their borrowing power.

He also, from the Committee on Education, reported as committed Senate Bill No. 696, entitled:

An Act to further amend Section 11 of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by further regulating credit for service with a school district of the first class for members of a first class city pension fund.

He also, from the Committee on Education, reported as committed Senate Bill No. 720, entitled:

An Act to amend Section 1404 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing penalties for authorizing, conducting, or assisting in medical and dental examinations of school children, teachers and employes at a rate in excess of the rate provided by law.

He also, from the Committee on Education, reported as committed Senate Bill No. 776, entitled:

An Act to further amend Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30),entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for reimbursements by the Commonwealth to school districts on account of instruction.

He also, from the Committee on Education, reported as committed House Bill No. 780, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers.

He also, from the Committee on Education, reported as committed House Bill No. 1137, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by requiring one year of approved hospital internship as an additional requirement for licensure; exempting interns from the provisions of the act; and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residency training in osteopathic hospitals in Pennsylvania.

He also, from the Committee on Education, reported as committed House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of the county board of school directors.

He also, from the Committee on Education reported as committed House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres, more or less, of land, situate in the City of Erie, Erie County, Pennsylvania.

Mr. TAYLOR, from the Committee on Highways, reported as committed Senate Bill No. 598, entitled:

An Act authorizing the State Highway and Bridge Authority, upon agreement with the Department of Highways and approval of the Governor, to erect, construct and maintain a bridge over the Ohio River, between a point in or near the Borough of Shippingport, Beaver County, and a point in such county on the opposite side of the Ohio River, and to provide the necessary approaches and connections with State highways; authorizing the collection of tolls and charges; providing for deisgnation of such bridges, approaches, and connections as State highway routes, and their maintenance as such routes, thirty years after construction

He also, from the Committee on Highways, reported as committed Senate Bill No. 599, entitled:

An Act authorizing the State Highway and Bridge Authority, upon agreement with the Department of Highways and approval of the Governor, to erect, construct and maintain a bridge over the Ohio River in or near the Borough of Aliquippa, Beaver County, and the Borough of Baden, Beaver County, to connect with State highways, and to provide the necessary approaches and connections with such State highways, authorizing the collection of tolls and charges, providing for designation of such bridges, approaches and connections as State Highway routes, and their maintenance as such routes, thirty years after their construction.

Mr. LETZLER, from the Committee on Highways, reported as committed House Bill No. 1197, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Com-

monwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the secretary to suspend registrations of manufacturer's, jobber's and dealer's in the dealer's class, further regulating use of dealer's registration plates in certain cases.

Mr. PECHAN, from the Committee on Reapportionment, reported as committed Senate Bill No. 772, entitled:

An Act to amend the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1734) entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts" by changing the composition of the Twenty-eighth and Twenty-nine Congressional Districts.

Mr. HARNEY, from the Committee on Agriculture, reported as committed House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

Mr. BARR, from the Committee on Highways, reported as committed Senate Bill No. 791, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereof requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts.

CALENDAR

HOUSE BILL No. 908 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 14 of today's Calendar, House Bill No. 908, Printer's No. 473, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 908, as follows:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Title and Definitions

Section 101 Short Title This act shall be known and may be cited as the "Use and Storage Tax Act"

Section 102 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Department" The Department of Revenue of this Commonwealth

(2) "Person" Any natural person firm partnership association corporation fiduciary or other entity Whenever used in any provision of this act which prescribes or imposes fine or imprisonment or both the term "person" as applied to a firm partnership or association shall include the members thereof and as applied to a corporation the officers thereof Provided That a firm partnership association or a corporation may be subjected as an entity to the payment of a fine

(3) "Storage" Any keeping or retention in this Commonwealth for use or other consumption in this Commonwealth for any purpose excepting as hereinafter provided

(4) "Use" The exercise of any right or power incidental to the ownership of tangible personal property

The term "storage use or other consumption" does not apply to

(a) Any tangible personal property acquired through an isolated sale from one not a seller

(c) Any tangible personal property acquired through an isolated purchase from one who though a seller is not such a seller with respect to the article purchased but a use shall be presumed in the case of all purchases from sellers

(d) Cigarettes

(e) Gasoline and other motor fuels

(f) Utility services the gross receipts from which are taxed by the Commonwealth

(g) Any tangible personal property acquired by the Commonwealth or any of its agencies or political subdivisions or by authorities created by or pursuant to law

(h) Any tangible personal property acquired by the United States or any of its agencies

(i) Any tangible personal property acquired outside this Commonwealth the taxing of the storage use or other consumption of which is prohibited by the Constitution of the United States

(j) Newspapers magazines and other periodicals

(k) Medicine on prescription crutches wheelchairs for the use of cripples and invalids and when designed to be worn on the person of the purchaser or user artificial limbs artifical eyes and artifical hearing devices false teeth purchased from a dentist and the materials used by a dentist in dental treatment eyeglasses when especially designed or prescribed by an ophthalmologist oculist or optometrist for the personal use of the owner or purchaser and artificial braces and supports designed solely for the use of crippled persons

(l) Bakery products milk groceries and meat as food products for human consumption For the purposes of this clause (i) "milk" shall mean raw milk products from domestic animals or such milk when processed or canned (ii) "groceries" shall mean all food products and all food ingredients for human consumption or for use in the preparation thereof for human consumption ordinarily sold in grocery stores except candies confections soft drinks tobacco or tobacco products (iii) "meat" shall include the flesh of animals fish sea food poultry and game

(m) Clothing and shoes but not jewelry or any other object not worn primarily to cover the human body against nakedness or cold

(n) Tangible personal property (i) which is to be used in fabricating compounding or manufacturing tangible personal property or in producing public utility service to be sold ultimately at retail or (ii) which is to be used in the process of farming agriculture or horticulture and which in either event becomes an ingredient or component part of the fabricated compounded or manufactured tangible personal property or public utility product or of the product of farming agriculture or horticulture or is consumed in the process of fabrication compounding manufacturing or producing or in the process of farming agriculture or horticulture or (iii) which is to be used in the production or delivery of public utility service

(o) The performance of personal service

(p) Any tangible personal property upon which a tax is imposed under the provisions of the Consumers Sales Tax Act

(q) Tangible Personal property intended for incorporation and incorporated into a building road street bridge or other structure provided such property is so incorporated pursuant to a contract entered into prior to the effective date of this act and provided further that the person so incorporating such property submit to the department proof of the facts in such form as the department may require

(5) "Purchase" Acquiring tangible personal property for a consideration whether the transaction was effected by a transfer of title or of possession or of both or a license to use or consume whether such transfer shall have been absolute or conditional and by whatsoever means the same shall have been effected and whether such consideration be a price or rental in money or by way of exchange or barter "Purchase" shall include production even though the article produced is used stored or consumed by the producer thereof

(6) "Seller" The person from whom a purchase is made and every person engaged in this Commonwealth or elsewhere in the business of selling tangible personal property for storage use or other consumption in this Commonwealth when in the opinion of the department it is necessary for the efficient administration of this act to regard any salesman representative peddler or canvasser as the agent of a dealer distributor supervisor or employer under whom he operates or from whom he obtains tangible personal property sold by him for storage use or other consumption in this Commonwealth irrespective of whether or not he is making such sales on his own behalf or on behalf of such dealer distributor supervisor or employer the department may so regard him and may regard such dealer distributor supervisor or employer as the "seller" for the purpose of this act

(7) "Seller Maintaining a Place of Business in This Commonwealth" Any seller having or maintaining within this Commonwealth directly or through a subsidiary an office distribution house saleshouse warehouse or other place of business or any agent operating wholly within this Commonwealth under the authority of the seller or its subsidiary irrespective of whether such place of business or agent is located permanently or temporarily in this Commonwealth or whether such seller or subsidiary is authorized to do business within this Commonwealth

(8) "Consumer" The persons who has purchased tangible personal property for storage use or other consumption in this Commonwealth

(9) "Price" the amount paid in money credits property or other consideration for purchases without deduction on account of the cost of property purchased amounts paid for interest discounts losses or any other expenses or burdens Credit actually given or refund actually paid for goods returned may be deducted

(10) "Tangible Personal Property" Corporeal personal property including but not restricted to goods wares and merchandise The term "Tangible Personal Property" does not include money deposits in banks shares of stock bonds notes credits or evidences of an interest in property or evidences of debt

(11) "Tax" Any tax interest or penalty imposed or levied under the provisions of this act

Article II

Imposition and Collection of Tax

Section 201 Imposition A tax is hereby levied on the storage use or other consumption in this Commonwealth of tangible personal property purchased for storage use or other consumption in this Commonwealth

Section 202 Amount of Tax (a) The rate of tax shall be one per centum (1) of the price of each purchase of tangible personal property purchased for storage use or other consumption in this Commonwealth

(b) As to any tangible personal property purchased for storage use or other consumption in this Commonwealth the tax shall be computed as follows

(1) Where its price is ten cents or less no tax shall be collected

(2) Where its price is from eleven cents to one dollar both inclusive the tax shall be one cent

(3) Where its price is in excess of one dollar the tax on each additional dollar or fraction thereof shall be one cent

(c) If any person who causes tangible personal property to be brought into this Commonwealth has already paid a tax in another state in respect to the sale or use of such property or an occupation tax in respect thereto in an amount less than the tax imposed by this act the provisions of this act shall apply but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax on the sale or use or occupation tax was computed

Section 203 Payment Each consumer storing using or otherwise consuming in this Commonwealth tangible personal property purchased for such purpose or purposes shall be liable for the tax imposed by this act and such liability shall not be extinguished until the tax has been paid to this Commonwealth

It shall be presumed that tangible personal property purchased on or after the effective date of this act by any person for delivery in this Commonwealth is purchased for storage use or other consumption in this Commonwealth

Section 204 Collection by Sellers Maintaining Place of Business in Commonwealth Every seller maintaining a place of business in this Commonwealth and making sales of tangible personal property for storage use or other consumption in this Commonwealth if not otherwise exempted shall at the time of making the sales or if the storage use or consumption is not then taxable hereunder at the time the storage use or other consumption becomes taxable collect the tax from the consumer

Section 205 Sellers' Registration Every seller maintaining a place of businss in this Commonwealth and making sales of tangible personal property for storage use or other consumption in this Commonwealth if not otherwise exempted shall at the time of making the sales or if the storage use or consumption is not then taxable hereunder at the time the storage use or other consumption becomes taxable collect the tax from the consumer

Section 205 Seller's Registration Every seller maintaining a place of business in this Commonwealth selling tangible personal property for storage use or consumption in this Commonwealth shall register with the department and give the name and address of all agents operating in this Commonwealth the location of all distribution or saleshouses or offices or other places of business in this Commonwealth and such other information as the department may require

Article III

Returns and Payment

Section 301 Monthly Returns and Payment (a) The taxes imposed by this act shall be due and payable in monthly installments on or before the twentieth day of the calendar month succeeding the month during which the purchase of tangible personal property on the storage use or other consumption of which the tax is being paid is made

(b) Each taxpayer or seller maintaining a place of business in this Commonwealth shall make out and sign a return for the preceding calendar month Such return shall be mailed to the department in time so that it will reach the department in the ordinary course of the mails on or before the twentieth day of the month succeeding the month during which the purchase of tangible personal property on the storage use or other consumption of which the tax is being paid is made The return shall be on a form prescribed by the department

(c) Each such return shall show

(1) The price of each such purchase of tangible personal property by such person during such preceding monthly period the storage use or consumption of which is subject to tax

(2) The amount of tax due

(3 Such other information as the department may deem necessary for the proper administration of this act

(d) Any such return may be signed by a duly authorized agent of the taxpayer with the same effect as if signed by the taxpayer himself any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to A remittance for the amount of the tax shall accompany each return

Section 302 Other Times for Returns and Payment The department may upon written request authorize a taxpayer whose books and records are not kept on a calendar month basis to file returns at other times than those specified in the preceding section and in lieu of such returns Except as to the time of filing and the period covered all the provisions as to monthly returns made by section three hundred one shall be aplicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Article IV

Procedure

Section 401 Department of Revenue to Administer The Department of Revenue shall administer and enforce this act and collect the tax hereby imposed

Section 402 Examination of Returns Assessment of Tax Credits (a) As soon as practicable after any return is filed the department shall examine it If the return shows a greater tax due than the amount of the remittance sent with such return the department shall forthwith assess the difference Such difference shall be paid to the department within ten days after notice of its assessment If so paid there shall be no interest or penalty if not paid there shall be added to such amount five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment No taxpayer shall have any right of appeal from such an assessment

(b) If the department determines that any return or returns of any taxpayer understates the amount of tax due the department shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" Such deficiency shall be paid to the department within ten days after a notice of the assessment thereof shall be mailed to the taxpayer by the department In such case if such understatement of the tax in the return or returns was made in good faith there shall be no interest or penalty because of such understatement Provided That the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the assessment of such deficiency be mailed to the taxpayer If such payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If any understatement in any of such returns is false or fraudulent with intent to evade the tax the deficiency resulting from such understatement shall be doubled and in addition thereto an additional one-half of one per centum of such doubled deficiency shall be added for each such month or fraction of a month from the date the tax was originally due to the date of payment

(c) If the amount of the tax as assessed by the department shall be less than the amount already paid by the taxpayer the department shall so notify the taxpayer and the amount so overpaid may be taken by such taxpayer as a credit on the tax shown as due in any subsequent return or returns filed in accordance with the provisions of this act

Section 403 Estimated Assessments (a) If any person believed by the department to be liable for tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by this act and if the department shall deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of the accounts of such person it may make an estimated assessment of the probable amount of tax owing by such person but in every such case the department shall add to such estimated assessment a penalty of fifty per centum (50%) thereof and the department shall proceed to collect such estimated tax and penalty as in other cases if the amount is not paid when due as hereinafter provided

(b) The estimated assessment thus determined together with the penalty of fifty per centum (50%) specified above and interest at the rate of one-half of one per centum per month or fractional part thereof until paid shall be due and payable ten days after notice of such settlement shall have been mailed by the department to the person against whom the estimated assessment has been made

Section 404 Limitation of Assessments (a) Any additional assessment or estimated assessment shall be made by the department within five years of the date when the return required by section three hundred one or authorized by section three hundred two hereof should have been filed as prescribed in this act whether the date originally prescribed or pursuant to any extensions of the time for filing such return duly granted by the department and not after Any such additional assessment or estimated assessment may be made at any time during such period notwithstanding that the department may have made one or more previous additional assessments or estimated assessments or both against the taxpayer for the year in question or for any part of such year In any such case no credit shall be given for any penalty previously assessed or paid

(b)If the taxpayer shall have died any taxes interest and penalties due under this act for years prior to his death or for the year of his death and whether based on original assessments additional or estimated assessments or otherwise may be presented by the department at audit of his estate in the orphans' court Such court shall give full effect to the priorities and equitable interest given to the Commonwealth by this act

Section 405 Reassessment Review Appeal Refund (a) Any taxpayer against whom an additional or estimated assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the additional or estimated assessment becomes due and payable The department shall hold such hearings as may be necessary for the purpose at such times and places as it may determine and each taxpayer who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearing in his case will be held A petition for reassessment if filed shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the additional or estimated assessment is erroneous or unlawful in whole or in part and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition If no petition for reassessment has been filed with the department but the taxpayer has given due notice of an

intention to appear and be heard the taxpayer may appear at the hearing and present his petition orally in which event all statements of fact at the hearing shall be made under oath or affirmation

(b) Within sixty days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the board of finance and revenue to review such action Every petition for review filed hereunder shall state specifically the reasons on which the peitioner relies or shall incorporate by refence the petition for reassessment in which the reasons are stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall act finally in disposing of petitions filed with it within six months after they have been received In the event of the failure of the board to dispose of any petition within six months the action taken by the department upon the petition for reassessment shall be sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due on such basis as it deems according to law and equity The board shall give notice of its action by mail to the department and to the petitioner

(c) Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin county from the decision of the board or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(d) Refunds of taxes paid under this act shall be made under the provisions of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) known as "The Fiscal Code" and its amendments

Section 406 Rules and Regulations Inquisitorial Powers of the Department (a) The department shall have the authority to prescribe adopt promulgate and enforce rules and regulations in conformity with this act and relating to any matter or thing pertaining to the administration of the taxes imposed by this act The department may from time to time alter or amend such rules and regulations in any manner it considers advisable

(b) The department or any of its authorized agents is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer including his bank accounts or similar items in order to verify the accuracy and completeness of any return made or if no return was made to ascertain and assess the tax imposed by this act The department may require the preservation of all such books papers and records for any period deemed proper by it not to exceed however six years from the end of the calendar year to which the records relate Every such taxpayer is hereby required to give to the department or its agent the means facilities and opportunity for such examinations and investigations The department is further authorized to examine any person under oath concerning the taxable storage use or other consumption of tangible personal property by any taxpayer or concerning any other matter relating to the enforcement or administration of this act and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes to have knowledge of such matters The procedure for such hearings or examinations shall be the same as that provided by the Fiscal Code relating to inquisitorial powers of fiscal officers

(c) Any information gained by the department as a result of any return investigation hearing or verification required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person unlawfully divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Notwithstanding the foregoing provisions of this subsection (c) the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any other state now or hereafter imposing a tax upon the storage use or other consumption of tangible personal property or classes of such property or the authorized representative of such Commission or officer to inspect any returns or reports of investigations filed or made under the provisions of this act or may furnish to such Commissioner or officer or his authorized representative an abstract of any such return or supply him with information concerning any items contained in any such return or report but such permission shall be granted or such information furnished to such Commissioner or officer only if the statutes of the United States or of such other state as the case may be grant equal privileges to the officers of this Commonwealth charged with the administration of this act

Section 407 Records of Non-Residents A non-resident person including a foreign corporation who is engaged in one or more businesses in this Commonwealth shall keep adequate records of such business or businesses and of the taxes due with respect thereto which records shall at all times be retained within this Commonwealth

Any person violating or assisting in the violation of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one (1) year or both

Section 408 Priority of Tax In the distribution voluntary or compulsory in receivership bankruptcy or otherwise of the property or estate of any person all taxes imposed by this act which are due and unpaid shall be paid from the first money available for distribution in priority to all other claims and liens except in so far as the laws of the United States may give a prior claim to the Federal government Any person charged with the administration or distribution of any such property or estate who shall violate the provisions of this section shall be personally liable for any taxes imposed by this act which are accrued and unpaid and are chargeable against the person whose property or estate is being administered or distributed

Section 409 Lien of Taxes All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner provided in this act and as such shall be a lien upon all real estate within the Commonwealth of any taxpayer resident or non-resident but only after the same has been entered and docketed of record by the prothanatary of the county where such real estate is situated as hereinafter provided

The department may at any time transmit to the prothonotaries of the respective counties certified copies of all liens for taxes imposed by this act and penalties and interest It shall be the duty of each prothonotary receiving such lien to enter and docket the same of record in his office which lien shall be indexed as judgments are now indexed all such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation judgment claim lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time such tax lien is recorded save and except the costs of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property The lien of said taxes interest and penalties shall continue for five years from the date of entry and may be revived

and continued in the manner now or hereafter provided for renewal of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such written writs are ordinarily employed

Any wilful failure of any prothonotary to carry out any duty imposed upon him by this section shall be a misdemeanor and upon conviction he shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 410 Penalties Any person who shall wilfully fail neglect or refuse to make any return or report required by this act or any tax payer who shall refuse to pay any tax penalty or interest imposed or provided for by this act or who shall wilfully fail to preserve his books papers and records as directed by the department in accordance with section four hundred six hereof or any person who shall refuse to permit the department or any of its authorized agents to examine his books records or papers or who shall knowingly make any incomplete false or fraudulent return or report or who shall do or attempt to do anything whatever to prevent the full disclosure of the amount or character of the taxable storage use or other consumption of tangible personal property by himself or any other person shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or undergo imprisonment not exceeding one year or both in the discretion of the court The penalties imposed by this section shall be in addition to any penalties imposed by any provisions of this act

Article V

Disposition of Tax Penalties Interest

Section 501 Disposition of Proceeds All taxes collected under the proviisons of this act together with any penalties and interest thereon shall be used for public school purposes in so far as permitted by the requirements of the Constitution of Pennsylvania

Article VI

Miscellaneous

Section 601 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for any purpose

Section 602 Effective Date This act shall become effective on the first day of the second calendar month after the month in which it is finally enacted and all taxable storage use or other consumption pursuant to purchases made during that month and for a period of two years thereafter shall be subject to tax hereunder

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I have an agreement with the Members of the Majority side, due to the fact that the Democratic Members, through a mistake, had not been notified of the meeting yesterday afternoon, and we have prepared certain amendments to House Bill No. 908 and House Bill No. 909, to allow us the courtesy of presenting these amendments on third reading.

Mr. President, since the purposes of the amendments are similar in both House Bill No. 908 and House Bill No. 909, I believe, with the permission of the Senate, that we could present both sets of amendments at this time and then make a full dress rehearsal on them at one time.

The PRESIDING OFFICER May the Chair suggest to the gentleman that he can speak on the effects of the amendments, but it will be a little difficult to offer amendments to House Bill No. 909 while we are considering House Bill No. 908.

If the gentleman cares to make the argument and then just have the record repeated for House Bill No. 909, he may do so.

Mr. DENT. Mr. President, I ask unanimous consent to offer amendments to House Bill No. 908 at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend House Bill 908, Printer's No. 473, on page 5, line 16, by striking out the word "consumed" and inserting in lieu thereof the word: "used"; Amend House Bill 908, Printer's No. 473, section 102, sub-section 4 by adding immediately after the word "Require" on line 8, page 6, the following: "(r) Any tangible property acquired by a charitable or religious organization."

On the question,

Will the Senate agree to the amendment?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. DENT. Mr. President, I move that the Senate adopt these amendments, but before doing so, I would like, by way of explanation, to give the reasons for the introduction of these amendments.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President and Members of the Senate, first of all, let us understand one thing, and I want this clearly understood on both sides of the Senate. These amendments are not introduced in an effort to cripple or destroy the piece of legislation before us. They are not introduced in the spirit of trying to embarrass the Majority Party in the Senate of Pennsylvania. However, they are introduced in a sincere effort to remedy a situation which may be very dangerous to Pennsylvania's economic health.

I want to state at this time, Mr. President, that it has been suggested that any amendments introduced by the Minority would place the bill in jeopardy when it comes before the House again for concurrence. I have taken up with the Democratic House leadership that very proposition, and I am here to assure the Republican Members of this Senate that if these amendments are accepted, the Democratic Minority in the House will not oppose concurrence in the amendments, so that it will not be necessary to again resort to the extreme methods employed by the House leadership and the extreme pressure applied to get the bill passed originally.

Mr. President, I want it clearly understood that these amendments are more or less in line with the thinking of the Republican Majority, which we opposed very vigorously the other night, in that industry must not only be favored in Pennsylvania, but must, at times, be coddled and pampered.

We opposed the proposition the other night, Mr. President, when the Republican Majority voted to exempt from local real estate taxation that part of the real estate known as productive machinery in industry. In the debate, Mr. President, the other night, the Republican leadership said that the passage of the machinery tax exemption bill would be an inducement to out-of-State industry to move into this Commonwealth.

Mr. President, these amendments to this act of the Legislature, to this sales and use tax in Pennsylvania, highlight a very serious situation, because the exemption of taxable machinery as real estate saves industry in Pennsylvania approximately $2,000,000. However, the application of the formula of taxation in this legislation against industry will cost industry, according to the statement of the Majority Leader contained in this morning's newspapers, $30,000,000. If you have to pass an act to relieve industry of $2,000,000 of taxation in order to save Pennsylvania industry, then how much damage are you doing to Pennsylvania industry when you place a $30,000,000 tax ticket upon them with this act?

Mr. President, the reason that we, as Democrats, oppose this legislation is this. In the first place, we do not believe that any sales tax should ever be conceived primarily with the idea of placing a tax upon the productive machinery of Pennsylvania.

Mr. President, how many of the Members of this Senate have ever visited a glass plant? If you have, you know that in a glass plant they use glass tanks or, in the term of the glass worker, a pot. Incidentally, there are some rumors about this bill and its destiny when I mention that. However, in this bill the refractories used in blast furnaces and steel mills, the expendable pots and tanks used in glass works, which are items which have to be replaced periodically, are taxed, and for this reason these amendments are offered.

Mr. President, if you will note, the amendments strike out the word "consumed" and insert in lieu thereof the word "used." The purpose is this. In this bill you say that any machinery or any item which is purchased by industry, that is ultimately consumed in producing the product to be sold by industry, is tax free. We say that you ought to put the word "used", because if they use a type of brick, for instance, to line a tank and that brick is not ultimately consumed in the product that is sold by the glass plant, but it certainly is essential in the manufacturing process, because if you did not have it you could not produce the glass which you are putting out. Therefore, all we ask is that there be no exemption whatsoever for the tax on machinery except where that machinery is related to the production of the plant.

Mr. President, you are exempting from taxation in this amendment the items used in the production of manufactured goods in this Commonwealth. Now, you recognize the justice of that because in the same act—incidentally, for the information of the Senate, I would like to couple both acts together, the sales and the use tax which are before us, House Bill No. 908 and House Bill No. 909, so that when I cross over the actual lines of one bill to another you will know that, both bills being so interrelated, the arguments must also be related.

You placed in your bill an exemption to all the electrical producing utilities in Pennsylvania. Why are they so favored, in all of the items that they use to produce electricity, to be exempted from taxation, and yet alongside of it a productive plant, producing goods for sale in Pennsylvania or outside of the State, must pay tax on the items used to produce their product? This is an unsound piece of legislation, it is an unwise piece of legislation and it is one which, because of a terrific drive for some kind of a tax program, has been ill-conceived and poorly planned. Yet, they are willing to take this grave injustice because of a threat of a greater injustice.

Mr. President, it has been rumored that certain steel companies have asked me to introduce this amendment. Let us make the record clear on that. No person representing any industry in Pennsylvania has asked me or the Democratic Party to introduce any legislation. Therefore, I would advise those who are driving the pack of wolves at the heels of certain innocent individuals to call off their dogs and let the men go about their business in peace.

Mr. President, these amendments were conceived by the Democratic Minority, and are presented on behalf of the people of Pennsylvania, because if you want to place a tax upon industry there are means and methods of placing the taxes upon industry without placing it indirectly, as you do in this legislation. I do not know how many industries or industrial leaders know exactly what is happening. I think I ought to bring the Senate up-to-date. This is what is happening, as we understand it. We have probably seen the greatest parlay ever laid in Pennsylvania's legislative history when, in the last week, every piece of legislation in and out of committee was parlayed to pass the sales tax.

Mr. President, industry recognizes the great danger in this act. However, if you will note, contrary to the statement of the Governor, this bill is not a permanent tax structure but is one for a two year period only. The reason for this bill being a two year bill is that industry has been promised that if they do not squawk and squeal about this unjust imposition upon industry at this time, then the Republican Party will, next biennium, remove that section of the act which taxes the productive machinery.

Mr. President, industry has made a compact. They are not going to talk about the injustice of this, even though they plead on the floor of the Senate about the injustice of paying their share for the schools and the local governments in the taxation upon their real estate properties. However, they are willing to accept the tax which is fifteen times greater in total sum of revenue, in order that they can allow this administration to crawl out from under the rug which they have been under.

Mr. President and Members of the Senate, we have heard many strange tales around the Senate floor, but I tell you right now that we, of the Democratic Party, are not promising industry that we are going to specially select them to do favors for. We know that that is part of the old method of applying and keeping applied the campaign pressure in order that funds be forthcoming for the next gubernatorial fight.

Mr. President, we do want the people of Pennsylvania to know this. This morning at 9:00 o'clock the Democratic Members of the Senate met in caucus, and at that time a resolution was offered by one of the Members of the Democratic Caucus. It was seconded, and put to a vote and passed unanimously. The resolution, Mr. President, notifies the Democratic State Committee that the Democratic Members of the Senate have passed a resolution, calling upon the Democratic State Committee to make as the number one plank of its campaign platform for 1954 that we are for the immediate repeal of this iniquitous obnoxious sales tax in Pennsylvania; first, because it is unfair in that it places the burden of taxation

in the first instance upon the shoulders of those least able to pay; second, because it injures the productive machinery of industry in Pennsylvania and third, because it designates a differential between certain utilities and others and allows a tax to be placed upon the utility bills of certain consumers while exempting the utility bills of others.

Mr. President, the entire bill is a broad base tax, as the Governor has so stated. However, it is not a broad base tax in the sense in which it was originally introduced, because in cutting the provisions of the act ,the people of Pennsylvania have been treated to a very fine example of political surgery. The surgery was performed upon the anatomy of those who squealed the loudest, and those who had no opportunity to present their squeal were left with all their aches and pains.

Mr. President, industry was afraid to squeal, because when industry was told that if they squealed on this they would have a corporate net income tax of two per cent placed upon them, they thought it better to take that which would cost them less in the long run and with the definite promise of repeal in two years.

Mr. President, I say to industry in Pennsylvania that the Democratic Party has not earned by its action the disfavor which industry holds for the Democratic Party. The Democratic Party, in being interested in the welfare of all of the peoples, is definitely interested in the welfare of industry, even more so than those who would favor industry to such an extent that they injure the people, because industry itself must be an agency for giving to the people a better way of life. You cannot tax the people beyond their ability to pay in order to exempt someone who has a greater ability to pay.

Industry in Pennsylvania, Mr. President, may as well learn now that for twenty years I have watched, and many others with me have watched, how industry has been used and abused by the Republican leadership in Pennsylvania. You are the scapegoats because at every turn, when the final analysis comes down and any Governor has needed money in the last twenty years, he has come to you with the proposition. "Now we are going to place a little more on the people if you will take this." So, industry has agreed with the Republican Party. They have been in league with the Republican Party for twenty years to shift the tax burden onto the shoulders of the peoples

Mr. President, that is why yesterday people danced in the streets, and the House of Representatives was turned into a song-fest by the Republican Members who sang because they were able now to place the tax upon the people. In the old days when the slaves were dragged before the Roman conquerors and fed to the lions, the Roman conquerors also sang in the streets. I was very much surprised, indeed, when after the Session was over and we walked down the walk from the Capitol, they had three bands playing at the end of the Capitol, underneath the statue of Boies Penrose. I wonder if ever in the history of this Commonwealth a tax was placed upon anybody which merited jubilation.

Mr. President, just picture, if you can, 1935 and 1937, when the people of Pennsylvania were faced with a very serious proposition. We had one million, two hundred eighty some thousand odd souls of Pennsylvania citizens out of work, through no fault of their own. They were starving and cold and in need. We met in these Halls of the General Assembly and we passed an emergency tax program. In passing that emergency tax program, we were compelled by the economy of the State to place the taxes, at that time, upon the utilities, upon industry and upon business in general in the Commonwealth. The reason for placing those taxes there was because the people had no taxable money, the people had no resources for revenue and it had to go upon the only items which could be taxed at that time.

Mr. President, I remember the tears which were shed on the floor of the House by those who cried because a corporate net income tax was being passed, by those who cried about the gross receipts tax being passed. There was no jubilation then, there was no singing in the aisles then. There were tears of anguish and despair.

Mr. President, what happened yesterday? The final chapter has been written. We are taking the taxes, now that we have the vehicle to completely relieve the tax burden of all industry, of all business and all activity in the Commonwealth, and we can now place it upon the so-called shoulders of the so-called John Q. Public, the ordinary little fellow. Then, the Republicans in the House started to sing, they started to parade up and down and congratulate each other. Yesterday's newspapers carried pictures of the Speaker and the Majority Leader grasping in their triumphant hands the sales tax bill. "Eureka, we have done it," they said. The people now will pay the tax.

Mr. President and Members of the Senate, the people who belong to the Democratic Party know full well that taxes must be paid if services are to be rendered. We also know, Mr. President, that services rendered by the State can be measured as to who receives the services and what percentage of revenue is spent for the different and individual activities of the Commonwealth. We have tried since 1935, when I headed the first Tax Study Commission in this Commonwealth, to create in Pennsylvania a program which would eliminate the danger of this kind of ill-conceived legislation becoming the law of the land.

We belive, Mr. President and Members of this Senate, that a formula can and will be worked out some day whereby industry will pay a certain percentage of tax toward the total revenue needed, based upon the total receipts of industry and the total benefits of industry from the revenues expended; that business, unincorporated and incorporated, will pay a certain percentage of the total budget as related to what they receive from the public moneys expended; and that the peoples themselves, in all of the categories of activities, will pay a certain percentage of the total budget as related to the receipts and the benefits which the people receive from the public moneys expended.

Mr. President, under this formula, each biennium as we arrive in Harrisburg, we will be given our need for that biennium and we will take the different categories, and if we need a two per cent increase let us place two per cent upon each of the taxing categories in the Commonwealth. We would not have to come in here with the idea branded in our souls that we must each year peck away and take away from the shoulders of those best able to pay all of the tax burden and place it upon the soldier citizens of this Commonwealth.

Last week, Mr. President, I heard a great deal said about the tax on automobiles. Does anybody have any idea that this bill does not tax automobiles? Does anybody have any idea that this bill does not tax cigars and tobacco? Does anybody have any idea that this bill does not tax handkerchiefs and the few sundries which are used by the housewife every day of her life? Does anybody have any idea that this bill is not weakly drawn for the specific purpose of gaining to its side recruits, in order that they will help to defend it in the future and keep it from being taken off the books?

Let me explain how that happens, Mr. President. This bill is a temptation to an honest shopkeeper to become slightly dishonest. Just as in the days of prohibition, when almost everyone cheated the prohibition law, so it is today that almost everyone cheats the tax laws. This is the nicest bill ever written for the man who wants to cheat, and it is a very helpful bill to the man who might be tempted to cheat.

For instance, Mr. President, there can be nine one-cent tax purchases out of a dollar, and yet nothing in this bill compels that tax collector to pay more than one cent on the total dollar purchases that he transacts in his business. Therefore, this bill is more beneficial to the tax collector than it will be to the Commonwealth itself. The only time, Mr. President, that the tax collector will only receive his three per cent will be when industry buys a piece of equipment and the price is public knowledge. At all other times, Mr. President—and I believe that it has been suggested that the automobile dealer will find that he has a tradable item now, too.

We are faced, Mr. President, at this time with establishing a new tax formula in Pennsylvania. You just cannot allow, in good conscience, a bad bill to be passed simply because the whip of caucus action is over your shoulders. I know that if you were left to your own resources and the decision was yours, you would react against this bill even more violently than you reacted against the income tax two years ago, because even a critic, being an honest critic, would have to admit, Mr. President and Members of this Senate, that an income tax is fairer to the poor people than what a sales tax is.

Mr. President, I cannot conceive in my mind how the men who opposed the income tax, because it was unfair they said to the poor people, can possibly vote for this piece of legislation when it is even more unfair than the income tax which they fought so violently two years ago. I am wondering what has happened to that independent spirit which caused us to stay here one whole twelve month period because they would not be driven into line.

The calling today—and I doubt if ever in this State's history the need was as great—is for a great leader on your side to forsake the pressure which is being applied and to lead a militant group of seven or eight of you, as an individual did two years ago, to defeat this bill as it is presently written.

Mr. President, this bill will tend to operate against the best interests of the people of Pennsylvania. The manufacturing interests of this State are acting in a cowardly fashion today because, in order to saddle the people of Pennsylvania with a $90,000,000 tax load, they are willing to carry $30,000,000 themselves for a period of two years, with the promise that two years from now that $30,000,000 will then be shifted onto the shoulders of the people. If you are mistrusted, it is because your deeds cause you to be mistrusted.

Mr. President, the Democratic Party has never been an enemy of the industrial, mining and producing interests of this Commonwealth. We have never once, in the history that I know of, deliberately tried to injure the productive machinery. Those false leaders of industry in Pennsylvania, who always bring up a bugaboo and nickname it or misname it the Democratic Party in order to keep you in line for a Republican campaign, are unfair not only to the Democratic Party and the people, but unfair to the industrial interests of this Commonwealth.

Mr. President, these amendments also apply to another hardy citizen of our great State. It applies to the farmer. How can any man on that side of the aisle, how can his conscience allow him to say that it is all right to exempt the machinery of a power company but that you must tax the machinery of a farmer? What is a greater utility, the electrical power to run your washing machine or your iron or your sweeper, or the food which is raised by the farmer? The greatest utilities to mankind are food, water and air. Now, Mr. President, you are taxing two of these items: I do not know how the tax framers left air out unless they could not find any method of measuring it. You are taxing the water and you are taxing the food. However, they say to you that if you can survive without water and food, you can turn your lights on in your house without paying a tax.

Mr. President, this is a misconception, just to show you what happens. In order that I point out the injustice to the farmer I have to use, as an illustration, the electrical power companies. Now what happens, Mr. President? Before I am through speaking, some very enterprising member of either the Senate or the audience will run to the telephone and say that the Democrats are attacking the public utilities again. Of course, that takes away from us any hope of getting any utilities votes next year. We are not apologetic, but we do want you to understand one thing. We are not opposed to relieving the tax on utilities. However, we are opposed to relieving the tax on a specific utility at the cost of a greater tax on another utility.

Mr. President, I cannot conceive how any man in this Senate can sit idly by, because the pressure of the whip upon his shoulders does not allow him to use the good conscience that he was created with, and allow a taxation to be placed upon the machinery which the farmer uses in the production of our food, and will exempt from taxation the switchboard of the company that sells us electrical power. Because I draw that example does not mean that the Democratic Party is for placing the tax upon that electrical company. It means that the Democratic Party recognizes the justice of taking the tax off of the farmer, if you leave it off of the electrical company.

Mr. President, my amendments do not call for placing the tax upon the electrical company. I want all of you representatives of the utilities here to note that we are not asking to tax you, we are just asking you to give the farmer the same regard which you give to the utilities in Pennsylvania.

Mr. President and Members of the Senate, we know, before we present these arguments, that the bill will be passed as it is written. We know that if we stood here until doomsday, we could never break loose the shackles which have been welded upon the arms and the minds of

the Members of the Republican Party. We know that there is nothing we can do except this. We can place upon the record, for all to see, our philosphy of taxation as compared to that which fools you.

You know, Mr. President, I am very much afraid that industry in Pennsylvania has been treated to one of those fifty-fifty deals that they talk about. I think the President himself sat around one evening when a gentleman was telling us about the fifty-fifty sausage which was being sold out in one of the counties. It seems that the Pure Food Inspectors arrested a farmer for selling a sausage which he labeled fifty-fifty sausage, fifty per cent rabbit. He was getting a pretty good price, but somebody complained about his sausage. They said that it was mixed with horse meat. They went to the farmer and they said to him, "I understand that you are mixing your rabbit sausage with horse meat." He said, "Yes." They said, "Well, you cannot sell it under the present law because you advertise it falsely." He said, "I do not. I advertise it as a fifty-fifty sausage." The inspectors said, "Well, how do you measure the proportionate share?" He said "I mix one horse with one rabbit."

Mr. President, that is exactly what has happened to industry. Industry finds itself being relieved of about $2,000,000 worth of local taxation, which is put into local governments to provide the schools for the children of your workers and to provide the streets and the sewers for the people who work for you in industry. You are being relieved of $2,000,000 worth of taxes locally, and you are supposed to jump through a hoop and be happy because the Republican Party relieved you of local taxation. Then, they turn around and give you the other fifty per cent of the bargain and they stick a $30,000,000 tax on you because of the industrial needs of your business during the next two years. Every time you buy anything that is used in your industry, you will pay a use tax on it of one per cent unless you buy an item which is consumed in the industry to produce a product that is on the market.

Mr. President, what is the consumption of an item? For instance, if you buy coke and iron ore and you put it in a blast furnace, you have consumed the coke and the iron ore and you make for the people a steel product that is sold on the market. You are not taxed on the coke and the iron ore. However, in order to cook that coke and iron ore, in order to get it together, in order to fuse it and blend it and make that piece of steel, you have to line the blast furnace with a refractory product. When you empty out that blast furnace and you take the product which you are going to sell, with the ashes and the residue that is left, the slag that is left in the pot, you find also that these items of liners which you would purchase for use in manufacturing have been consumed in the manufacture. However, Mr. President, they have not been consumed to be part of the product that has gone out the other end, so it is not tax free. It is not consumed by the product itself, it is consumed to make the product and there is a difference. That is what we are trying to amend.

We are trying to amend this bill, Mr. President, in order that productive processes, productive processes in Pennsylvania, need not be endangered by an unfair tax. Oh, I know that you are going to vote for it because you have been told that industry is not going to be mad at the Republican Party, industry is going to vote for the Republican Party no mater what you do. You say, you do not think they are going to trust them"—I do not want to use the word "Democrats"—"do you? They will not trust them, and so we are going to vote any way that we want. The front office has taken care of industry and industry is satisfied."

Mr. President, did anybody call the little guy out on the street? Did he have a lobby down here? Did he have anyone speak for him? Did he come before the General Assembly and say, "I have a stake in this, I am being taxed ninety more millions of dollars?"

Mr. President, I want to let you in on another little known fact. Pennsylvania has the greatest sales tax in the entire United States. The people of Pennsylvania pay more sales taxes before this tax is passed than any other State in the Union. This is an additional sales tax, Mr. President.

Mr. President, at the present time I have heard the argument that industry pays fifty-two per cent of the taxes in Pennsylvania. That is not true. That is not borne out by the record. However, were it to be true—let us take the position that it is true—that industry is now paying fifty-two percent of the tax and so, therefore, Mr. Fine, the Governor of this Commonwealth, has repeatedly said, "We cannot put another cent of taxation upon industry without endangering our economy." Therefore, he has claimed that there would be no more taxes upon industry in this Commonwealth. I wonder if he has read the bills which are before us since he was so happy to announce to the people yesterday in a message in which he said that the people ought to be gratified that they now can pay a sales tax. It is a different form of gratification, probably, than what he expects when it is all over.

Mr. President and Members of this Senate, why do the people not know the truth about this legislation? I read the papers myself, and I think the newspaper reporters have done a rather magnificent job of analyzing the bill and telling people just what is in it. However, I was a little disappointed to find that the news that Pennsylvania is passing a $125,000,000 tax bill in Pennsylvania was placed in a position where it was subtitled somewhere in print, a little bit smaller than the fact that a fellow stabbed his wife out in Aliquippa.

Mr. President, the press of this State owes a duty to its peoples and it is trying to, perhaps, live up to that. However, I do not know why it is that they do not realize that they, too, are being taxed. Maybe they do not know this, and I sometimes doubt if they do know it, but under this amendment which we have offered they would be able to buy filler lead for their Linotypes and so forth without paying a tax on it. If these bills pass the way they are today, every newspaper in this State, if the tax is enforced honestly, will have to pay a tax upon the use of the material that they use to print a daily newspaper; not the ink and not the paper, but you will pay it upon the lead and other items which are used and reused in the newspaper fraternity.

If it is going to be a use tax, Mr. President, I think the people ought to know that it is a use tax. I think the people ought to know that this is not a sales tax alone, but a use tax.

Mr. President and Members of the Senate, we have offered two sets of amendments. We do not expect either one to pass. We can only say to you that if we had sufficient Democratic votes in the Senate, I doubt if the bill

would be before you. However, if it were to be before you, it would not be this type of an iniquitous bill.

I have also offered an amendment, Mr. President, exempting from the provisions of this act religious objects, which are exempted in every State in the Union that has a sales tax. We recognized long ago that religion, the teaching of religion, the observance of religious rites and beliefs, are not a proper subject of taxation. Under this bill, Mr. President, they become a subject of taxation. I believe that, although you say you cannot amend to take out the industrial inequity, I beg of you to consider this new step in taxing policy. I beg of you to allow at least that part of our amendment to be passed. I assure you that the Democratic Minority in the House will cooperate with you in concurring in the amendment if you, at this time, relieve the religious items from the burden and the necessity of paying the tax in Pennsylvania.

Mr. President, we hope some day soon, within the next week, to bring before this Senate of Pennsylvania a full scheduled program, showing how the tax burden in Pennsylvania has shifted from 1939 to 1953, from a definite source of revenue to the shoulders of the people of Pennsylvania. We will show by the acts which have been passed and repealed, we will show by the arguments made upon the floor by both sides and we will show by the Governor's Messages that the whole purpose and plan of the Republican strategy in Pennsylvania has been, since 1939, January 2, to shift the tax load in this Commonwealth from business and industry to the shoulders of the everyday citizens.

Mr. President and Members of the Senate, we can do no more than to place a pledge upon the record that the Democratic Members of this Senate are living up to their platform pledges, in which they said they would not vote for any new sources of taxation in this Commonwealth during this biennium. The Republican Party also made that pledge, but they have seen fit to break the pledge.

Mr. President, we say that the history of the past proves that we keep our platform pledges, and we pledge to you today that the platform plank heading our campaign next year will be a repeal of the sales tax in the Commonwealth of Pennsylvania.

Mr. MAHANY. Mr. President and Members of the Senate, certainly industry has a strange suitor today. I am reminded of, for example, a woman who had been married to a man several years and he did not support her and just literally drove her out of the house. She had to leave this man and married another man, who has supported her all these years in good style. She dresses well, she eats well and she is getting along good, and now her first husband is coming back after all these years to tell her that he would like to have her leave this man and go back and live with him again. That is exactly what happened when the Democrats were in control in the Thirties. They literally made it mandatory for industry to leave the State of Pennsylvania, and now they want to hitch on again.

Mr. President, I ask for a little lenience from the Senator and the other Senators here. Senator Dent, in his speech, not only talked on the amendments, but I believe he went further than that and talked on the entire bill. Therefore, if I am to answer the Senator, I should have the same privilege.

Mr. President, certainly it comes at a strange time when the Democrats would offer amendments to this bill. Over in the House, it was generally known and conceded by the Democrats that this was a Republican measure, and toward the last they decided they would not do anything about it. They just would not vote for it, and they would let the Republicans put it through without any amendments over in the House and without very much debate on the bill.

Certainly, Mr. President, if the Democrats felt so keenly about this tax on corporation machinery, it would seem to me that they, over in the House, should have offered those amendments. Although the Senators says the Democrats would concur in the amendments, we have no assurance that the Republican Members of the House would concur.

Mr. President, this is the bill which the Republicans over in the House gave to us, without any Democratic help whatsoever. Therefore, I do not believe that it comes now with good grace that the Democrats over here should try to do anything about it. There is no assurance, even if we adopted the amendments offered by the Democrats, that they would vote for the bill. They probably would not vote for it.

Mr. President, they talk about the Republicans having an iron rule over the Senators here. They have the same caucus rule in the Democratic Caucus in the House, and, perhaps, in Democratic Caucus in the Senate. I draw this conclusion from the fact that a few days ago Senator Dent said that the only reason he was voting against a particular bill which was before us was because they had taken action in their caucus. Over in the House they went so far that the Minority Leader, Mr. Andrews, threatened that anyone who voted for a sales tax in the House would be excluded from the Democratic Caucus from that time on. Certainly we have not gone to that extent in the Republican Caucus in either the House or the Senate.

Mr. President, I do not believe that industry is objecting to a machinery tax. They understand that it is up to them to pay a part of this tax burden in the State of Pennsylvania, and I believe that they are going to pay it willingly. After all, Mr. President, who pays the taxes whether you put them on corporations, or whether you put them on machinery or wherever you put them? the consumer pays the taxes, and all these other people are just merely tax collectors; they are not taxpayers. No doubt that is the reason why the electric utilities were exempted in this bill.

Mr. President, electric utilities, as you all know, have a monopoly, and they are entitled under the Public Utility Law to a reasonable return on their investment. If you put a tax on them in addition to their other costs, they would only have to go back to the Public Utility Commission and ask for rate raises, so as to in include the amount of money that they pay out by this tax. Therefore, you would not be saving the average man very much, if any thing at all, if you put a tax on electric utilities which are already paying a gross receipts tax to the State of Pennsylvania.

Mr. President, Senator Dent says that he cannot understand why the people who were against the automobile tax a week or so ago would now be in favor of the sales tax. That is certainly easy enough to understand. The automobile tax was at a greater rate than the sales tax, for one thing. The automobile tax was at two per cent and this is a one per cent tax.

Also, Mr. President, the automobile tax which was being considered a week or so ago did not allow any trade-in for the automobiles which were traded in on the new cars. There would be a great difference between the taxes computed, we will say, on a $3,000 car under this bill and the taxes computed under the other bill. Under the other legislation, the tax on a $3,000 automobile would have been $60, at the rate of two per cent. Today, it is usually the custom for a man who buys a $3,000 automobile to have about a $2,000 trade-in, so all he would have to pay would be one per cent on the difference between the $3,000 and the $2,000, which would be $10 under the sales tax bill. Therefore, you have a difference between $60 and $10 under the provisions of these two bills.

Mr. President, the Senator also said that if you had nine different items selling for eleven cents apiece, the tax would be one cent on each eleven cent purchase, so that out of a dollar the storekeeper might very well collect nine cents and he would only remit one cent. Senator Dent said, Mr. President, that this bill did not provide for the merchant turning over to the State the nine cents, and that the bill only provides that he would have to pay over one cent. If the Senator would look on page 9 of House Bill No. 909,—I do not know what page it is on in House Bill No. 908, but both of these provisions are the same in both bills—he will see that the total amount collected is to be remitted. Therefore, it is impossible, or at least illegal, for the merchant to retain more than he turns over to the State of Pennsylvania. In other words, if he collects nine cents on nine sales, then it is up to him, under the provisions of this bill, to turn over the nine cents to the State of Pennsylvania, and he does not comply with the bill by just merely turning over one cent to the State of Pennsylvania.

Mr. President, much has been said about taxing the poor people under this legislation. Let us see how much the average family has to pay under the provisions of this bill. I want you to remember this also, that all of the money collected under this bill goes for education. In last evening's newspaper, I believe it was the Philadelphia Bulletin, the headline was, "Tax Would Cost Family $11 a Year," and stated as follows:

"Based on federal statistics for 1950, the State's proposed one per cent sales tax would cost the average Philadelphia family just silghtly more than $11 a year.

"The Bureau of Labor Statistics of the U. S. Department of Labor and Industry fixed the annual budget of the average Philadelphia family at $4,443.89.

"All but $1,110.94 of the expenditures would be exempt from the tax.

"Biggest single bite would be for automobiles. The U. S. bureau said the average Philadelphia family spent $354.62 for purchase of automobiles.

"The $71.49 a year spent for gasoline would not be taxed beyond the regular five-cents a gallon State tax.

"Other taxable items include house furnishings and equipment, $276.16; household operation items (paints, soaps, brushes, brooms, wallpaper, linoleum, etc.), $206.79; fuel, $113.12; tobacco, other than cigarettes, $13.58; personal care items, $53.67; books, $5; water, gas and other items, $88.

"Just to keep tabs on your neighbor, here's what the BLS says the average Philadelphia family spends on other items, not taxable:"

The newspaper then outlines several other items which I will not read and which are not taxable under the provisions of this bill.

I also, Mr. President, have a schedule prepared by the Health and Welfare Federation of Allegheny County, representing the cumulative work of a seventy-five man committee of Pittsburgh, who are representatives from the fields of medicine, nutrition, banking, business, education, and so forth, in which they outline a moderate cost of living budget. The items which would be taxable under the provisions of this bill, and this is on an annual basis, are house furnishings, $175.68; personal supplies, $35.64; and household operations, $38.16. Therefore, the average family, living according to this schedule and making that amount of money, would only have to pay $2.49 per year, which is certainly a small enough amount, indeed, to pay per year for the cost of educating their children.

Mr. President, I have received several telegrams from people throughout the State of Pennsylvania who feel that this is definitely a tax on the poor people and takes care of the rich people. It does not, in my opinion. I think these people are laboring under a misapprehension and have not read the bill. The rich man who goes down to the car dealer and buys a $5,000 Cadillac will certainly have to pay more tax than the fellow who goes down and buys a $2,000 or $2,500 Ford or Chevrolet. I think that this does tax those who spend a great deal, and leaves off pretty leniently the poor workman who does not spend a great deal for the taxable items under this bill.

Mr. President, if Senator Dent's amendments were adopted, according to his own statement, this bill would return about $30,000,000 less than it does under the provisions of the bill as written. Where would he get that $30,000,000? He would certainly have to go out and put some other tax on the people of Pennsylvania. He would probably have to pass one of those hodgepodges which we discussed a week or so ago, and at which even the Democrats threw up their hands and said they would not go along with at the last minute. We certainly do not want to put any more hodgepodge taxes on the people of Pennsylvania. We feel that this is a fair tax; this not only taxes the people according to their ability to pay, but it also gets some tax money out of industry.

Mr. President, we feel that the bill, as written, is a fair tax bill and one that, I believe, the people of Pennsylvania are ready to receive and pay. I know that as I go along, I talk to a number of people in all walks of life and they say, "When are you fellows down in Harrisburg going to pass that sales tax bill?" They have read about all these other hodgepodge taxes which we have been considering.

Mr. President, earlier in this Session we threw out the sales tax, and then we started to put taxes on a million other items. Finally, however, we were like the story in the Bible where the man brought the keystone to fit in the arch, and they discarded it and could not understand why a man would bring an odd shaped stone like that to fit in an arch. When the arch was up to the point where it needed the last remaining stone, they looked into the discarded pile and picked up the keystone, which they had formerly discarded, and found that it made a perfect arch. I believe that this sales tax, Mr. President, will

make a perfect arch to our tax structure in the State of Pennsylvania.

Mr. President, I cannot understand why the Senator would put in this amendment to exempt religious books and supplies for churches and so on, other than to becloud the issue a little bit more. It certainly would not amount to very much. The average church usually gets their various statues and religious articles, such as Bibles, by gifts from their church members. Usually you give a Bible in honor of your deceased mother or father, or perhaps present a window to the church. The church does not have to pay that tax, but the person who gives the item pays it, and I do not believe that he is going to object very much to it.

Mr. President, when we give a piece of property to a church, or we give a legacy of money to a church, the State taxes it, and there has not been any great howl from the Democrats about the fifteen per cent tax which we now put on legacies and bequests to religious institutions. Therefore, I do not believe that this little bit of tax, that the man who makes a gift to a church has to pay, is going to create any great havoc. If it eventually shows that it is definitely unjust and that there is going to be a great to-do over it, then that bug can be worked out of it in the 1955 Session of the Legislature, if that 1955 Session of the Legislature chooses to re-enact the sales tax.

Mr. President, I feel that there is no use in debating this bill at any greater length. As the Senator from Westmoreland brought out, he feels that the Republicans are going to vote for it as is, and I can assure him that I also share in that conviction that I believe we are going to have thirty-two votes for this bill as it came from the House. If the Senators will just allow us to go along and enact this legislation, as Hiram Andrews did over in the House, without throwing too many roadblocks at us, we will be able to get out of here in very reasonable time today.

Mr. President, I want to conclude by asking my colleagues to vote "no" on these amendments.

Mr. DENT. Mr. President, I enjoyed very much the brief explanation of the gentleman on the other side. I noted that he reminded me of a doctor I visited once when I was suffering with a little arthritis; there are different names for it, but I call it arthritis.

The PRESIDING OFFICER. Will the gentleman yield? This seems to be the day of parables.

Mr. DENT. I went to the doctor and he said to me, "John, I am afraid you are drinking too much." I said, "Well, doctor, I have not had a drink for six months." "Well, then," he said, "It is simple; you are not drinking enough."

Mr. President, that seems to be the answer of the Majority Floor Leader, because he is opposed to taking the tax off of industry because it amounts to too much, and then he is opposed to taking the tax off of the churches because it amounts to too little. Somewhere in between we might find a place where we can come together. I recommend to him, Mr. President, that he read "The Angel's Lily."

Mr. President, I want to say to industry, in all our days when we were more or less accused of giving industry a rough time in this State, we never likened them to a faithless wife. There are other names that they call a faithless wife, but I will not apply them to industry. Mr. President, I want to remind the gentleman over there that we are not trying to take the faithless wife away from her husband right now; it is a slight flirtation. We hope the seduction will culminate next year.

Mr. President, I would also like to go home with the gentleman from Meadville, if he will take me this week, because I am sure that he will be received with bands and open arms. There will be singing in the streets and there will be flower-strewn paths, and I am sure that the confetti will be tossed from the business places because the hero has arrived; at last we are taxed. Never ahve I heard it better said.

Mr. President and Members of the Senate, I know they have thirty-two votes and that is maybe as it should be. However, I just want to say again that it is a peculiar situation which finds thirty-two votes solidly for a bill that is more obnoxious than a bill which was presented two years, that no amount of pressure seemed to be able to solidify the Republican votes. Is it because this bill places the burden even more squarely upon the shoulders of the people? I believe it is.

Mr. President, I do not intend to take any more time except to say to the Floor Leader on the other side that when the Democratic Floor Leader, in his caucus, stated that any Democratic Member who would vote for a sales tax would not be allowed to participate in the Democratic Caucuses any more, it was not a threat, Mr. President, that was made to the members; it was just a statement of fact.

He also stated, Mr. President, that this is only a one per cent tax. I wonder if you will sit still long enough for me to put an amendment to this act, providing that it cannot go beyond the one per cent without a referendum to the people. Will you accept that amendment to this tax bill? Will you accept an amendment which places it specifically and definitely at one per cent? You will not, because you must increase it two years from now if you are to relieve the faithless woman, known as industry, from the burden of taking care of her children and reliece her of the $30,000,000 in taxes. You are going to have to place another one-half per cent upon the people in order to relieve industry. I will be glad to present the amendments, and have them ready, to limit this tax to one per cent without a referendum to the people. I will ask you to vote on that next.

Mr. MAHANY. Mr. President, I just want to correct the record. I likened industry to a faithful wife, not a faithless wife. It certainly has been a faithful wife. I do not want the Senator to conclude that I am likening industry to what he tried to point out.

There was one argument, Mr. President, which I meant to refer to and I did not. That is the argument that the Senator gave relative to why he could not understand why Senators here would vote for a sales tax and not an income tax.

Mr. President, there is a great difference between a sales tax and an income tax. For instance, one reason why they might very well refuse to vote for an income tax is because so many miunicipalities, under the provisions of Act No. 481, have enacted wage taxes and they did not feel that we should dip into the laborer's envelope and take out and withhold more of his salary. That was the

reason some of them gave for not wanting to vote for an income tax in the 1951 Session.

Also, Mr. President, the income tax, under the provisions of our Constitution, could not give any exemptions. We could not exempt anything. We had to tax from the very first dollar that the laborer made. This sales tax does provide for many exemptions. There are very few items that the average family will buy on which they will have to pay a tax. We have exempted groceries and all food items. We have exempted the clothing and the shoes that a person wears. Also, we have exempted drugs and those things which he gets by prescription from the doctor.

Mr. President, what is he going to have to pay a tax on? It was brought out in the paper, in the article which I read a short time ago, that the main thing on which he will have to pay a tax will be the automobile. If he gets an allowance, as he will under the provisions of this bill, for the amount of trade-in on the new car, the amount of that tax will not be a great deal. I would say that it would average about $10 to $11 per year for the average family in Pennsylvania. Those families where the head of the family is only making $4,000 to $4,500 a year, I would say that that family would not have to spend more than about $5 to $6 at the very most for the sales tax under the provisions of this bill.

Mr. DENT. Mr. President, I do not want to carry the debate any longer. We know the cards are on the table; everybody can see everything but the hole card and we are guessing at that. I just wanted to say that the Majority Leader has said that the tax is hardly on anything that a person uses. In reality, this is a tax from the cradle to the grave. It taxes baby buggies and caskets.

Mr. President, the gentleman said that the reason the income tax would be obnoxious to some of the Republican Members is because districts have placed, under Act No. 481, local income taxes. I wonder if the gentleman knows that under Act No. 481 a great many communities, including our largest communities in the Commonwealth, have placed mercantile taxes which are, in reality, a sales tax at the source. This is a double taxation, because it taxes again those items which are taxed by the mercantile tax.

Therefore, Mr. President, there is no difference in the basic taxation. The people are paying it, and that is the important item in this piece of legislation. The people, the ordinary wage earners, that so many are solicituos about, are paying at the present time the greater share of the tax burden in the Commonwealth of Pennsylvania.

Mr. MAHANY. Mr. President, I just want to say one thing relative to the mercantile tax. As the Senator brings up these arguments piecemeal, I have to answer them.

Mr. President, he stated that many communities have adopted the mercantile tax. Most communities under the mercantile tax law only assess a tax of $1 per thousand. I do not know of any community that assesses more than $1 per thousand on the retail sales, which tax is usually absorbed by the merchant. In other words, if a merchant has $100,000 worth of sales in a year, his entire tax would be $100. So, it would be impossible for him to pass on that small amount of tax to the consumer who comes in, for instance, and buys a lead pencil or a writing tablet or some item such as that. The merchants pretty well absorb that small amount of tax, and the consumer does not pay any part of it.

Mr. WEINER. Mr. President and Members of the Senate, I will just make a few brief remarks because I am most anxious to conclude this debate and let the Majority Floor Leader get back to the people, who have been begging for this tax, and tell them that the mission has been accomplished.

Mr. President, I would just like to say that since I have been a Member of this body I have heard, earlier this week and previous thereto, many pople speak about this interest or that interest, or this person or that person in the Commonwealth being hurt by this or that program or this or that bill. The gentleman who grace the aisles and the sides of this body have come to me and have spoken to me about this matter or that matter in which they are interested, and they have spoken to the other Senators about matters in which they have been interested. However, no one, not a single person, has come to this body or has spoken to any of these Senators or any of the representatives here about the people, or what they want or what they are interested in. It looks like the people are being penalized because they have chosen to rely upon the people they have elected to stand up and speak for their rights.

Mr. President, this bill is a further step in passing on the tax burden to the people. Earlier this week we did partially that by taking care of the machinery tax in certain areas. This is just one more step in passing on the greater tax burden to those who are least able to pay.

Mr. President, we had an opportunity in this body earlier to put the cart behind the horse, instead of in front of the horse, by enacting some of the economy bills which everybody said were fine things and would help this Commonwealth. We proceeded to knock every one of those bills in the head. Finally, one did get through and got up to the front office and then was vetoed.

Mr. President, also, the people in this Commonwealth are not receiving the complete information to which they are entitled, because the media of communication is very conservative and sort of tends to lean to different areas or sides in which they are particularly interested. Regardless of whether they tell the story, or regardless of whether they give the complete story to the people or not, it will become clearer and clearer to the people as they have to dig down into their pockets every time they buy something and pay out either a few pennies more or a few dollars more, depending upon the item.

Mr. President, one of the things that we have completely missed, I believe, in this Session is that no one has asked whether the Governor actually needs this money or whether the Commonwealth actually needs this money for which he is asking and which we are now getting ready to supply by this means of taxation. We have not enacted any economy measures, and we have not investigated the budget or cut out the fat.

Mr. President, in Philadelphia alone they have just put on, I believe, about twenty or thirty persons who were fired from the city administration and placed them on the State payroll. This also, I presume, will come out of this new tax measure to take care of some of the faithful.

Mr. President and Members of the Senate, I feel that if we enact this tax and do not put in some of these amendments that the Democratic Members of this Senate are asking for, I believe that we will be sorry, and the Republican Party will be sorry and will find that this will come back to haunt them in the coming election.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. HALUSKA. Will the gentleman inform me whether or not life insurance and other types of fire insurance are taxable under this act?

Mr. MAHANY. I would say definitely not, Senator.

Mr. HALUSKA. What was the answer?

Mr. MAHANY. Definitely not; it is a sales tax. You would not pay any tax on tangible personal property, and not on life insurance policies or fire insurance policies. There is no intent whatsoever to tax those items.

Mr. HALUSKA. Will the gentleman inform me as to what he estimates will be the number of persons added to the payroll to collect this tax?

Mr. MAHANY. I have no idea, Senator, how many it will take. I do not suppose anybody would know the exact number.

Mr. HALUSKA. Do you have any idea at all as to how many it will be? Will it be 1,000, 2,000 or 5,000? How many people will be added to the payroll to collect this tax?

The PRESIDING OFFICER. The Chair suggests that the gentleman from Crawford has already said that he has no idea.

Mr. HALUSKA. I asked if he had any idea at all. That is a little different.

The PRESIDING OFFICER. The gentleman just said he has no idea.

Mr. MAHANY. Any guess that I would make would be strictly a guess. It would just be like picking a figure out of the air, and I do not want to do that.

I will say this, Senator, that we will try to have enough efficient employees to do the job and no more.

Mr. HALUSKA. That will be plenty, of course.

Mr. President, as my colleague from Westmoreland County has stated, we only want to keep the record straight. We know the vote will be 32 to 18. We are happy to note that the Republican Party is unified and solidified, and not even one of them will jump the traces.

Mr. President, we shall carry the issue to every nook and corner of this great Commonwealth. That shall be part of our party platform, the great part of it. We shall carry this message into every hamlet of Pennsylvania, and the people shall decide next year as to whether we are going to have a three per cent tax or no tax at all. That is what it will amount to. You do not have the courage to amend it to provide that the sales tax shall stay at one per cent. It will be two per cent and three per cent, if the Republicans get back in power next year.

Mr. President, I can assure you that next year will be the deciding year, and the people shall have the opportunity to decide whether they want a sales tax or whether they do not. That will be our issue.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

Mr. DENT. Mr. President, I want the record to show that the eighteen Democrats are recorded as voting for the amendments.

The PRESIDING OFFICER. May the Chair point out to the gentleman that a roll call was not requested, and that on a voice vote the "nays" had it and the amendments fell.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Berger,	Harney,	McCusker,	Taylor,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Watkins,
Diehm,	Letzler,	Peelor,	Watson,
Fleming,	Madigan,	Propert,	Wolfe,
Freed,	Mahany,	Snowden,	Wood,
Hare,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—18

Bane,	Haluska,	McCreesh,	Silvert,
Barr,	Holland,	McGinnis,	Stiefel,
Camiel,	Lane,	McMenamin,	Toole,
Dent,	Leader,	Ruth,	Weiner,
DiSilvestro,			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 909 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 14 of today's Calendar, House Bill No. 909, Printer's No. 474, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 909, as follows:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Title and Definitions

Section 101 Short Title This act shall be known and may be cited as the "Consumers Sales Tax Act"

Section 102 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Business" Any and all activities engaged in or caused to be engaged in with the object of gain or economic benefit direct or indirect

(2) "Department" The Department of Revenue of this Commonwealth

(3) "Sale Price" The amount received in money credits or intangible property from sales at retail without de-

duction on account of the cost of property sold amounts paid for interest discounts losses or any other expenses or burdens whatsoever in computing sale price there may be deducted any credit actually given or refund actually paid for goods returned and any credit actually given or allowance actually made for any tangible personal property actually taken in trade or exchange for the whole or any part of the sale price of the property sold

(4) "Person" Any natural person firm partnership association corporation fiduciary or other entity carrying on business Whenever used in any provision of this act which prescribes or imposes a fine or imprisonment or both the term "person" as applied to a firm partnership or association shall include the members thereof and as applied to a corporation the officers thereof A firm partnership association or corporation may be subjected as an entity however to the payment of a fine

(5) "Purchaser" Any person who purchases tangible personal property in any transaction taxable under this act

(6) "Seller" Any person engaged in the business of selling tangible personal property at retail and it shall be immaterial whether the goods sold are or are not manufactured or produced by the seller

(7) "Sale at Retail" Any transaction by which the ownership of tangible personal property is trasferred for a consideration when such transfer is made in the ordinary course of the transferor's business and is made to the transferee for consumption or use The term "sale at retail" includes any rental bailment lease conditional sale and any other transaction under whatever name or form whereby title being retained for security is ultimately to pass to the purchaser or whereby possession is transferred in lieu of a transfer of title

The term "sale at retail" does not include

(a) Sales for the purpose of resale of tangible personal property in its original form

(b) Any isolated sale of tangible personal property by one not a seller

(c) Any isolated sale of tangible personal property by one who though a seller is not such a seller with respect to the article sold but all sales by a seller shall be presumed to be sales at retail

(d) Sales of intoxicating liquors including malt and brewed beverages

(e) Sales of cigarettes

(f) Sales of gasoline and other motor fules

(g) Sales of utility services the gross receipts from which are taxed by the Commonwealth

(h) Sales to the Commonwealth or any of its agencies or political subdivisions or to authorities created by or pursuant to law

(i) Sales to the United States or any of its agencies

(j) Sales in interstate and foreign commerce but only in the instances and to the extent that the Commonwealth is prohibited from taxing such sales by the Constitution of the United States

(k) Sales of newspapers magazines and other peridoicals

(l) Sales of medicine on prescription sales of crutches wheelchairs for the use of cripples and invalids and when designed to be worn on the person of the purchaser or user artificaial limbs artificial eyes and artificial hearing devices sales of false teeth by a dentist and the materials used by a dentist in dental treatment sales of eyeglasses when especially designed or prescribed by an opthalmologist oculist or optometrist for the personal use of the owner or purchaser and sales of artificial braces and supports designed solely for the the use of crippled persons

(m) Sales of bakery product milk groceries and meat as food products for human consumption For the purposes of this clause (i) "milk" shall mean raw milk products from domesitc animals or such milk when processed or canned (ii) "groceries" shall mean all food products and all food ingredients for human consumption or for use in the preparation thereof for human consumption ordinarily sold in grocery stores except candies confections soft drinks tobacco or tobacco products (iii) "meat" shall include the flesh of animals fish sea food poultry and game

(n) Sale of clothing and shoes but not jewelry or any other object not worn primarily to cover the human body against nakedness or cold

(o) Sales of Tangible Personal Property (i) which is to be used in fabricating compounding or manufacturing tangible personal property or in producing public utility service to be sold ultimately at retail or (ii) which is to be used in the process of farming agriculture or horticulture and which in either event becomes an ingredient or component part of the fabricated compounded or manufactured tangible personal property or public utility product or of the product of farming agriculture or horticulture or is consumed in the process of fabrication compouding manufacturing or producing or in the process of farming agriculture or horticulture or (iii) which is to be used in the production or delivery of public utility service

(p) The performance of personal service

(q) Sales of tangible personal property intended for incorporation and incorporated into a building road street bridge or other structure provided such property is so incorporated pursuant to a contract entered into prior to the effective date of this act and provided further that the person so incorporating such property submit to the department proof of the facts in such form as the department may require

(8) "Tangible personal property" Corporeal personal property including but not restricted to goods wares and merchandise The term "tangible personal property" does not include money deposits in banks shares of stock bonds notes credits or evidence of an interest in property or evidence of debt

(9) "Tax" Any tax interest or penalty imposed or levied under the provisions of this act

(10) "Taxpayer" Any retail dealer or any person making sales taxable under this act

(11) "Uutimate consumer" As referring to any tangible personal property any person who uses or consumes such tangible personal property

(12) "Wholesale dealer" Any person engaged in the business of selling tangible personal property to retail dealers for resale only and not for personal use or consumption

Article II

Imposition and Collection of Tax

Section 201 Imposition a tax is hereby imposed upon each separate sale at retail within this Commonwealth which tax shall be collected by the seller from the purchaser and shall be paid over to the Commonwealth as herein provided

Section 202 Amount of tax (a) The rate of tax shall be one per centum (1%) of the sale price of each separate sale at retail

(b) The tax shall be computed as follows

(1) Where the consideration is ten cents or less no tax shall be collected

(2) On each sale where the consideration is from eleven cents to one dollar both inclusive the tax shall be one cent

(3) On each sale where the consideration is in excess of one dollar the tax shall be one cent on each additional dollar or fraction thereof

Section 203 Purchaser to Pay Accounting by Sellers The seller shall in each case demand the tax from the purchaser and the purchaser shall pay the same to the seller The seller shall keep the amount of all of the taxes so paid to him by all purchasers in a fund separate and apart from the proceeds of the sales and from all his other funds unless the department otherwise directs If the department shall authorize any seller to commingle the proceeds of the tax with the proceeds of sale the claim of the Commonwealth for the tax shall be enforceable against and shall take precedence over all other claims against the commingled fund Each seller shall as hereafter provided account to the Commonwealth for the entire amount of all taxes collected from purchasers

Section 204 Total Amount Collected to be Remitted No profit other than the compensation provided for in section two hundred thirteen shall accrue to a seller or other person from the collection of any tax imposed by this act Any person collecting any such tax shall return and remit the total amount thereof to the department as hereinafter provided If the total amount of taxes so collected in any period shall be in excess of one per centum (1%) of the sale price of the sales by the person collecting such taxes during such period such person shall nevertheless remit to the department the total amount of taxes collected without deducting the amount by which the taxes collected exceed one per centum (1%) of the sale price of his sales during such period and without making any other deduction other than the compensation allowed by section two hundred thirteen of this act

Section 205 Sales Presumed to be at Retail Every sale of tangible personal property shall be presumed to be at retail and to be taxable The seller may require any purchaser claiming that a sale is not taxable to give him a written statement signed by the purchaser and giving his address certifying that the tangible personal property the subject of the sale is purchased for a purpose not included in the definition of "Sale at Retail" Such a certificate shall in the absence of actual fraud on the part of the seller justify him in failing to collect the tax If he fails to collect a tax on any sale where he does not obtain such a written statement from the purchaser the seller shall be liable for the tax as hereinafter provided unless he shall sustain the burden of proving that the sale was not at retail

Section 206 Tax to be Paid by Ultimate Consumer It is hereby stated as the legislative intent that the tax imposed hereby shall be paid by the ultimate consumer The amount of the tax shall be added to the sale price and shall constitute a part of that price (though a separate item as hereinbefore provided) and shall be collectible as such

Section 207 Seller Shall Not Pay Tax Penalty (a) No person engaged in a business as a retail dealer shall advertise or represent to the public in any manner directly or indirectly that he will absorb said tax or any part thereof or that the full tax on each sale will not be considered an element of the price and be added to the price otherwise ascertained Nor shall any such person knowingly absorb the tax on any sale nor fail to add the full amount of the tax to the sale price otherwise ascertained and collect said tax as part of the sale price

(b) Any person who violates any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than one year or both at the discretion of the court

Section 208 Agreements and Regulations as to Methods of Adding the Tax (a) To provide uniform methods of adding the average equivalent of the tax imposed by this act to the sale price in each sale subject to the tax appropriate rules and regulations may be adopted subject to the approval of the department by competing taxpayers or associations of taxpayers Such rules and regulations shall provide that the tax shall in each instance be computed and collected on the basis of the total transaction without regard to the value or price of the separate items making up the total amount of a single sales transaction Such rules and regulations shall not if complying with the foregoing provisions and not involving price-fixing be deemed illegal as in restraint of trade or commerce or otherwise The department may cooperate in formulating such rules and regulations and shall approve any such rules and regulations which it finds to be in compliance with this act

(b) In the event appropriate rules and regulations governing any class of business are not submitted to the department for approval within such time as the department prescribes which shall be not earlier than thirty days after the effective date of this act the department shall as soon as reasonably possible formulate and promulgate rules and regulations to effectuate the purpose of this section

Section 209 Collection of Tax on Credit Sales If any sale subject to tax hereunder is wholly or partly on credit the taxpayer shall require the purchaser to pay in cash at the time the sale is made or within thirty days thereafter the full tax due on the basis of the entire sale price

Section 210 Records of Sales Any person engaged in business as a retail dealer who is at the same time engaged in another business or businesses which does not involve the making of sales taxable under this act shall keep separate books or records of his business as a seller so as to show the sales taxable under this act separately from his transactions not taxable hereunder If any such person fails to keep such separate books or records he shall be liable to tax at the rate designated in section two hundred two hereof upon the entire sale price of both or all of his businesses

Section 211 Sales between Affiliated Interests etc In determining sale price of taxable sales where because of affiliation of interests between the seller and buyer or for any other reason the sale price from a sale are not indicative of the true value of the article sold or the fair price thereof the department shall prescribe uniform and equitable rules for determining the amount of constructive sales prices upon the basis of which the tax shall be levied Such rules shall provide for a constructive amount of a sales price for each such sale which shall equal a price for such article which would naturally and fairly be charged in an arms-length transaction in which the element of common interests between buyer and seller or any other element causing a distortion of the price is absent

Section 212 Compensation to Seller for Collection and Return For the purpose of compensating sellers for the keeping of prescribed records and the proper accounting and remitting of taxes by them such sellers shall be allowed a commission of three per centum (3%) of the amount of the tax due and accounted for and remitted to the department which commission shall be allowed in the form of a deduction in submitting the report of such seller and the payment of the amount due by him Such compensation commission or allowance shall not be granted nor shall any deduction be permitted with respect to any taxes not paid on or before the due date thereof or where there is a manifest failure to maintain proper records or make proper prescribed reports

Article III

Returns and Payment

Section 301 Monthly Returns and Payment (a) The taxes imposed by this act shall be due and payable in monthly installments on or before the twentieth day of the calendar month succeeding the month during which the sales at retail subject to the tax were made

(b) Each taxpayer shall each month make out and sign a return for the preceding calendar month Such return shall be mailed to the department in time so that it will reach the department in the ordinary course of the mails on or before the twentieth day of the month succeeding the month with respect to which the return is made

(c) The return shall be on a form prescribed by the department The department shall distribute return forms to taxpayers but no taxpayer shall be excused from liability for failure to file a return or pay the tax because he has failed to receive a form.

Each such return shall show

(1) The total gross proceeds of the business of the taxpayer for the month with respect to which the return is filed

(2) The amount of sales at retail of such business with respect to which the tax is computed

(3) The amount of tax due

(4) Such other information with respect to the business the amount of sales at retail or related matters as the department may reasonably require

Any such return may be signed by a duly authorized

agent of the taxpayer with the same effect as if signed by the taxpayer himself

Any person making a false return shall be guilty of perjury to the same extent at though the return had been sworn to

(d) A remittance for the amount of the tax shall accompany each monthly return

Section 302 Other Times for Returns and Payment The department may upon written request authorize a taxpayer whose books and records are not kept on a calendar month basis to file returns at other times than those specified in the preceding section and in lieu of such returns In no event shall the taxpayer be premitted to make less than one return during a calendar month except as provided in section three hundred three Except as to the time of filing and the period covered all the provisions as to monthly returns required by section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Section 303 Quarterly Returns When the total tax for which any taxpayer is liable does not exceed ten dollars ($10) per month he may in lieu of monthly returns make quarterly returns Each such quarterly return shall be filed with the department by mailing in time so as to reach the department in the ordinary course of the mails on or before the twentieth day of the first month succeeding the end of the quarter with respect to which the return is filed Except as to the time of filing and the period covered all the provisions as to monthly returns prescribed in section three hundred one shall be applicable to returns made under this section and a remittance for the tax shall accompany any return made under this section

Section 304 Annual Returns (a) On or before the thirty-first day of January in each year every taxpayer shall file with the department in the manner heretofore specified for monthly or quarterly returns an annual return covering the entire preceding calendar year or such part thereof as the taxpayer was engaged in a business as a retail dealer Such return shall be in addition to and not in lieu of returns required to be filed under the provisions of sections three hundred one three hundred two or three hundred three

(b) Each such annual return shall include all items required for monthly returns in section three hundred one hereof for the entire calendar year with respect to which it is made and shall be signed by the taxpayer or his authorized agent any person making a false return shall be guilty of perjury to the same extent as though the return had been sworn to

(c) If the amount of tax due for the preceding year as shown by the annual return of any taxpayer is greater than the amount already paid by him in connection with his monthly quarterly or other returns he shall send with such annual return a remittance for the unpaid amount of tax for the year

Section 305 Extension of Time for Making Returns The department may on written application and for good cause shown extend the time for making any return required or permitted by any of the preceding sections of this article Provided however That the time for making any return other than an annual return shall not be extended more than one month and the time for making an annual return shall not be extended more than three months

Article IV

Procedure

Section 401 Department of Revenue to Administer The Department of Revenue shall administer and enforce this act and collect the tax hereby imposed

Section 402 Examination of Returns Assessment of Tax Credits (a) As soon as practicable after any return is filed the department shall examine it and if the return shows a greater tax due than the amount of the remittance sent with such return the department shall forthwith assess the difference Such difference shall be paid to the department within ten days after notice of its assessment If so paid there shall be no interest or penalty if not so paid there shall be added to such amount five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment No taxpayer shall have any right of appeal from such an assesment

(b) If the department determines that any return or returns of any taxpayer understates the amount of tax due the department shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" Such deficiency shall be paid to the department within ten days after a notice of the assessment thereof shall be mailed to the taxpayer by the department In such case if such understatement of the tax in the return or returns was made in good faith there shall be no interest or penalty because of such understatement Provided That the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within ten days after notice of the assessment of such deficiency be mailed to the taxpayer If such payment is not made within ten days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within ten days as herein provided there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment If any understatement in any of such returns is false or fraudulent with intent to evade the tax the deficiency resulting from such understatement shall be doubled and in addition thereto an additional one-half of one per centum of such doubled deficiency shall be added for each such month or fraction of a month from the date the tax was originally due to the date of payment

(c) If the amount of the tax as assessed by the department shall be less than the amount already paid by the taxpayer the department shall so notify the taxpayer and the amount so overpaid may be taken by such taxpayer as a credit on the tax shown as due in any subsequent return or returns filed in accordance with the provisions of this act

Section 403 Estimated Assessments (a) If any person believed by the department to be liable for tax under the provisions of this act shall have failed to file a return in accordance with and within the time prescribed by this act and if the department shall deem it more conducive to the public interest because of the supposed smallness of the tax or for any other reason not to proceed to compel the exhibition of the accounts of such person it may make an estimated assessment of the probable amount of tax owing by such person but in every such case the department shall add to such estimated assessment a penalty of fifty per centum (50%) thereof and the department shall proceed to collect such estimated tax and penalty as in other cases if the amount is not paid when due

(b) The estimated assessment thus determined together with the penalty of fifty per centum (50%) specified above and interest at the rate of one-half of one per centum per month or fractional part thereof until paid shall be due and payable ten days after notice of such settlement shall have been mailed by the department to the person against whom the estimated assessment has been made

Section 404 Limitation of Assessments (a) Any additional assessment or estimated assessment shall be made by the department within five years of the date when the annual return required by section three hundred four hereof should have been filed as prescribed in this act whether the date originally prescribed or pursuant to any extensions of the time for filing such return duly

granted by the department and not after Any such additional assessment or estimated assessment may be made at any time during such period notwithstanding that the department may have made one or more previous additional assessments or estimated assessments or both against the taxpayers for the year in question or for any part of such year In any such case no credit shall be given for any penalty previously assessed or paid

(b) If the taxpayer shall have died any taxes interest and penalties due under this act for years prior to his death or for the year of his death and whether based on original assessments additional or estimated assessments or otherwise may be presented by the department at audit of his estate in the orphans' court such court shall give full effect to the priorities and equitable interest given to the Commonwealth by this act

Section 405 Reassessment Review Appeal Refund (a) Any taxpayer against whom an additional or estimated assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the additional or estimated assessment becomes due and payable The department shall hold such hearings as may be necessary for the purpose at such times and places as it may determine and each taxpayer who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearing in his case will be held A petition for reassessment if filed shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the additional or estimated assessment is erroneous or unlawful in whole or in part and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition If no petition for reassessment has been filed with the department but the taxpayer has given due notice of an intention to appear and be heard the taxpayer may appear at the hearing and present his petition orally in which event all statements of fact at the hearing shall be made under oath or affirmation

(b) Within sixty days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the board of finance and revenue to review such action Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies or shall incorporate by reference the petition for reassessment in which the reasons are stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The board of finance and revenue shall act finally in disposing of petitions filed with it within six months after they have been received In the event of the failure of the board to dispose of any petition within six months the action taken by the department upon the petition for reassessment shall be sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due on such basis as it deems according to law and equity The board shall give notice of its action by mail to the department and to the petitioner

(c) Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the board or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

(d) Refunds of taxes paid under this act shall be made under the provisions of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) known as "The Fiscal Code" and its amendments

Section 406 Rules and Regulations Inquisitorial Powers of the Department (a) The department shall have the authority to prescribe adopt promulgate and enforce rules and regulations in conformity with this act and relating to any matter or thing pertaining to the administration of the taxes imposed by this act The department may from time to time alter or amend such rules and regulations in any manner it considers advisable

(b) The department or any of its authorized agents is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer including his bank accounts or similar items in order to verify the accuracy and completeness of any return made or if no return was made to ascertain and assess the tax imposed by this act The department may require the preservation of all such books papers and records for any period deemed proper by it not to exceed however six years from the end of the calendar year to which the records relate Every such taxpayer is hereby required to give to the department or its agent the mean facilities and opportunity for such examinations and investigation The department is further authorized to examine any person under oath concerning taxable sales by any taxpayer or concerning any other matter relating to the enforcement or administration of this act and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes to have knowledge of such matters The procedure for such hearings or examinations shall be the same as that provided by the Fiscal Code relating to inquisitorial powers of fiscal officers

(c) Any information gained by the department as a result of any return investigation hearing or verification required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person unlawfully divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Notwithstanding the foregoing provisions of this subsection the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any other state now or hereafter imposing a tax upon sales of tangible personal property or classes of such property or the authorized representative of such Commissioner or officer to inspect any returns or reports of investigation filed or made under the provisions of this act or may furnish to such Commissioner or officer or his authorized representative an abstract of any such return or supply him with information concerning any items contained in any such return or report but such permission shall be granted or such information furnished to such Commissioner or officer only if the statute of the United States or of such other state as the case may be granted equal privileges to the officers of this Commonwealth charged with the administration of this act

Section 407 Records of Non-Residents (a) A non-resident person including a foreign corporation who is engaged in one or more businesses in this Commonwealth as a retail dealer shall keep adequate records of such business or businesses and of the taxes due with respect thereto which records shall at all times be retained within this Commonwealth No taxes collected from purchasers shall be sent outside the Commonwealth without the written consent of and in accordance with conditions prescribed by the department

(b) Any person who shall violate or assist in the violation of the provisions of this asection shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 408 Hax Held in Trust for the Commonwealth All taxes collected by any retail dealer from purchasers in accordance with this act shall constitute a trust fund for the Commonwealth and such trust shall be enforce-

able against such taxpayer his representatives and any person receiving any part of such fund without consideration or knowing that the taxpayer is committing a breach of trust Provided however That any person receiving payment of a lawful obligation of the taxpayer frmo such fund shall be presumed to have received the same in good faith and without knowledge of the breach of trust Any person other than a taxpayer against whom the department makes any claim under this section shall have the same rights to petition and appeal as are given taxpayers by any provisions of this article

Section 409 Priority of Tax In the distribution voluntary or compulsory in receivership bankruptcy or otherwise of the property or estate of any person all taxes inposed by this act which are due and unpaid and are not collectible under the provisions of section four hundred eight hereof shall be paid from the first money available for distribution in priority to all other claims and liens except in so far as the laws of the United States may give a prior claim to the Federal government Any person charged with the administration or distribution of any such property or estate who shall violate the provisions of this section shall be personally liable for any taxes imposed by this act which are accrued and unpaid and are chargeable against the person whose property or estate is being administered or distributed

Section 410 Lien of Taxes All taxes imposed by this act together with all penalties and interest shall be considered a public account after being asssed in the manner provided in this act and as such shall be a lien upon all real estate within the Commonwealth of any taxpayer resident or non-resident but only after the same has been entered and docketed of record by the prothonotary of the county where such real estate is situated as hereafter provided

The department may at any time transmit to the Prothonotaries of the respective counties certified copies of all liens for taxes imposed by this act and penalties and interest it shall be the duty of each Prothonotary receiving such lien to enter and docket the same of record in his office which lien shall be indexed as judgments are now indexed All such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation judgment claim lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time such tax lien is recorded save and except the cost of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property The lien of said taxes interest and penalties shall continue for five years from the date of entry and may be revived and continued in the manner now or hereafter provided for renewal of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such written writs are ordinarily employed

Any wilful failure of any Prothonotary to carry out any duty imposed upon him by this section shall be a misdemeanor and upon conviction he shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding one year or both in the discretion of the court

Aritcle V

Violation and Penalties

Section 501 Penalty for Fraudulent Annual Return Any person who shall wilfully make or cause to be made the annual return required by section three hundred four of this act which is false and fraudulent shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to all other penalties imposed by any of the preceding provisions of this act

Section 502 Other Penalties Except as otherwise provided by section five hundred one any person who shall wilfully fail neglect or refuse to file any return or report required by this act or any taxpayer who shall refuse to pay any tax penalty or interest imposed or provided for by this act or who shall wilfully fail to preserve his books papers and records as directed by the department in accordance with section four hundred six hereof or any person who shall refuse to permit the department or any of its authorized agents to examine his books records or papers or who shall knowingly make any incomplete false or fraudulent return or report or who shall do or attempt to do anything whatever to prevent the full disclosure of the amount or character of taxable sales made by himself or any other person shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution to undergo imprisonment not exceeding one year or both in the discretion of the court The penalties imposed by this section shall be in addition to any penalties imposed by any provision of this act other than section five hundred one

Article VI

Disposition of Tax Penalties Interest

Section 601 Disposition of Proceeds All taxes collected under the provisions of this act together with any penalties and interest thereon shall be used for public school purposes in so far as permitted by the requirements of the Constitution of Pennsylvania

Article VII

Miscellaneous

Section 701 Saving Clause Nothing contained in this act shall be construed to repeal any other law of this Commonwealth imposing any tax for any purpose

Section 702 Effective Date This act shall become effective on the first day of the second calendar month after the month in which it is finally enacted and all taxable sales during that month and for a period of two years thereafter shall be subject to tax hereunder

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I ask unanimous consent to offer amendments at this time, and I desire to make a brief statement before I offer the amendments.

Mr. President, I rise to oppose this sales tax bill, first, because, in my opinion, it is an unfair tax, it is a vicious tax and it is a tax on those least able to pay. I might add, for the record, that in opposing this sales tax, I am complying with the provisions of the Democratic Platform. I might say to the Majority that if they would read the platform of the Republican Party and would abide by its provisions, they, too, would vote against this sales tax because, first, the Republican Platform indicated that no new taxes would be necessary to finance the obligations of the Commonwealth and, second, the Republican Platform stated that if taxes were needed they would not be placed on any special group.

Mr. President, it goes without saying that a sales tax is placed on a special group. It is placed on the rank and file of the people of this Commonwealth.

Mr. President, Senator Mahany, the Majority Leader, attempted to deny this fact in answer to a letter he said he received from someone stating that it was a tax against the poor. In justification of his argument, he stated that the rich man would have to pay a higher tax on a Cadillac that he bought than the poor man would have to pay on a less expensive car.

Mr. President, I suppose that is true, but the argument in itself is just plain silly because there are many items

in this sales tax bill where the cost is uniform. Therefore, the poor man will have to pay the same amount of tax on those items as the rich man. As the old saying goes, "God made more poor people than He made rich people, because He probobly loves the poor people better." Since there are more poor people than rich people, it is a tax against the poor, the rank and file of those who earn their bread and butter by the sweat of their brow.

Mr. President, I heard Senator Mahany also make reference to a policy which was adopted by the House Caucus, in which he said that there was some sort of rule that any Member of the Democratic House who would vote for the sales tax would be excluded from the Democratic Caucus. I do not know whether this is true or not. I just want to say, however, to the Majority Leader that the right to invoke the unit rule is not only the right of the Republican Party, but, it is also the right of the Democratic Party. If the Democratic Caucus of the House wanted to get together and adopt a rule that would call for the exclusion of any Member who violated the Democratic Platform, that was their business and not the business of the Majority Leader, just as it is none of our business if the Republican Majority in the Senate invokes the unit rule. After all, all of us are here to vote as we please, and I am sure that if any Member of the Democratic Party felt that he wanted to vote for the sales tax or any other bill there would be nothing to stop him, because this is America and we can vote as we please.

I am opposing this bill for another reason, Mr. President. The bill itself is very, very loosely drawn. It seems to me that the way it is drawn it will set up thousands of tax collectors throughout Pennsylvania, without the proper safeguards to insure that the tax which is paid by the rank and file of the people of this State will actually be paid into the State Treasury. I think that that is a fallacy in the bill. It is open to fraud, it is open to corruption by those who do the collecting without proper safeguards to detect them. I want to say to you here and now that because this bill is as loosely drawn as it is, it is going to present more administration problems than you can think of and, as I said before, open the door to fraud and perhaps it will result in even chaos.

Mr. President, I am also opposed to this bill for another reason. This opposition is represented by my amendments. As I reviewed this bill, Mr. President, I saw nowhere where the Auditor General of this Commonwealth, Which is the auditing agency of the State, has any right anywhere to do the auditing of the accounts of those thousands of tax collectors which will be set up under the provisions of this bill. It seems to me that the Auditor General should have that function delegated to him.

Mr. President, I called up the officials of the State of Maryland, where a sales tax is in force, and I asked them whether the collecting agency was also the auditing agency. The answer was "no."

I think the same rule should apply here, Mr. President. The Department of Revenue is set up in this bill to administer the provisions of this act, and, perhaps, to a certain extent, rightfully so, because it is the collecting agency for the Commonwealth. In all sincerity, I do not believe that the Department of Revenue, which is not equipped to do the auditing, should be assigned the function of auditing the accounts of those who are set up as the collectors and the transmitters of the funds which are collected from the rank and file.

In other words, Mr. President, what you are doing is having the Department of Revenue act in a dual capacity. It collects and then audits itself, or it audits the agents which are set up under the act to collect and transmit the funds. I do not believe that that is a proper safeguard. I do not believe that it is good business practice, and I do not think it will inure to the benefit of the Commonwealth. I do, in all sincerity, think that the bill should be amended, setting up the Auditor General as the auditing agency under the provisions of this bill.

Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 406, page 25, line 19, by striking out "department or any of its" and inserting in lieu thereof: "Auditor General or any of his"; Amend Sec. 406, page 25, line 19, by striking out "is" and inserting in lieu thereof: "are"; Amend Sec. 406, page 26, line 3, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 406, page 26, line 7, by striking out "department or its" and inserting in lieu thereof: "Auditor General or his"; Amend Sec. 406, page 26, line 9, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 406, page 26, line 17, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 406, page 27, line 8, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 407, page 28, line 8, by striking out "department" and inserting in lien thereof: "Auditor General"; Amend Sec. 408, page 29, line 4, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 410, page 30, line 6, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 502, page 32, line 6, by striking out "department" and inserting in lieu thereof: "Auditor General"; Amend Sec. 502, page 32, line 8, by striking out "department or any of its" and inserting in lieu thereof: "Auditor General or any of his".

On the question,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. YOSKO. Mr. President, I move that the amendments to House Bill No. 909 be adopted.

Mr. SILVERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I do not believe these amendments are good, because certainly the Federal Income Tax Law does not provide that the Auditor General, or someone in like capacity in the Federal Government, has the authority to examine the books of taxpayers under the Federal law. That job is usually done, and is done, under the Federal law by the Collector or Director, now as he is called, of Revenue. These collectors, who will be out in the field as the agents of the Department of Revenue, will be the ones that should examine the books of the taxpayer they think might be defrauding the State in the matter of remitting the tax collected by him, and that will be their job. Certainly, the Department of Revenue should be the one under

our law of Pennsylvania to do the whole job under this legislation.

Mr. President, I want to also answer one argument which the Senator gave relative to the fact that this would be a great tax upon the poor people. I have just received a bulletin from the Department of Public Assistance in Pennsylvania, in which they set up, under table 1 on page 2 of this bulletin, the amount of monthly assistance as being $61 for this adult recipient living alone, and the amount of tax under the items which they set forth would be, for that person receiving $61 from the State, ten cents tax per month. Another case, under table 3, is a parent and two children, age 5 or over, who are receiving $119 assistance from the State, and the tax to that family would be fifteen cents per month. I do not think that we are taxing the poor people under this legislation.

Mr. President, I am going to ask my colleagues to vote "no" on these amendments.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I would like to ask unanimous consent to offer the following amendments, and in doing so I want to inform the Majority Leader that these amendments will in no way affect the subject matter in House Bill No. 909 in its present form. What these amendments will do for this biennium, Mr. President and Members of the Senate, is this. They will add a new section, Section 703, which will provide:

"At the general election to be held in 1954, the Secretary of the Commonwealth of Pennsylvania shall cause to be printed on the ballott the following question

"Shall any future sales tax be increased by the Legislature beyond the present rate of 1% on tangible property?"

I, therefore, Mr. President, ask unanimous consent to offer these amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend House Bill No. 909, Printer's No. 474, article 7, page 33, by adding after line 15, on said page 33, a new section to read as follows: "Section 703 at the General Election to be held in 1954, the Secretary of the Commonwealth of Pennsylvania shall cause to be printed on the ballot the following question Shall any future sales tax be increased by the Legislature beyond the present rate of 1% on tangible property?"

On the question,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. LANE. Mr. President, I move that the amendments to House Bill No. 909 be adopted.

Mr. HOLLAND. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative).

And the question recurring.

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I am not going to waste my breath here today, because the Majority Leader stated he thought he had thirty-two votes for this legislation. He knows of what he speaks, and I know that this is the case.

However, Mr. President, I do want this in the record. This is just an additional sales tax, it is a broad base tax which is being put on, and by the rejection of these a mendments it seems to me that the people of Pennsylvania should be forewarned that in all probability at the next biennium there will be an increase in the sales tax, but we do not know just how much.

Just for the record, Mr. President, we now have a sales tax on cigarettes which brings in approximately $92,-000,000; we have a sales tax on gasoline which brings in around $200,000 000 a biennium; we have a sales tax on real estate whereby the real estate transfer tax brings in around $36,000,000; and now we have this one per cent sales tax, which is ultimately going to be passed here today, and the authorities, the powers that be, say it is going to bring in around $125,000,000 in additional taxes.

Mr. President, I want to call your attention to the statements which were made a few days ago when we had an argument on the machinery tax. At that particular time, speakers for the Majority side took the position that if we placed a tax upon machinery, we would force industry out of the State. Here today, they rejected Senator Dent's amendments which would have exempted machinery from taxes.

Therefore, it seems to me, Mr. President, that circumstances alter cases. After this bill is passed, I believe the people of Pennsylvania are going to say it costs too much to live and you cannot afford to die because this sales tax is going to tax baby buggies and caskets, inclusive. I feel sorry for the electorate here in Pennsylvania, but I want you to know that this one per cent sales tax which you are going to pay is just the beginning, because in the bienniums to come I expect this sales tax to be increased as the years go by.

Mr. President, they have solved all of the fiscal problems of the Commonwealth. They say that this is on for a two year period and, yet, my amendments were rejected. The proceeds of this tax are earmarked for education, and it is going into the General Fund. It seems to me that there is a lot of double talk here.

Mr. President, as I said before, I am not going to waste my breath. You have the votes, you pass the bill.

Mr. HOLLAND. Mr. President, I just want to add to what Senator Lane has said. He said that you cannot afford to die, and I now also find in the bill that you cannot afford to pray. In this bill prayer books, any books used in religion, the crucifix used on the altars, the altar rails, the communion cloth, the collection baskets and everything used in religion is taxed. We are going to have the distinction of being the only State in the United States that believes people should be taxed who are religious. I think that this is a disgrace.

I do think, Mr. President, that this bill should be held up long enough to get the amendments. I just had a telephone call from Pittsburgh, for your information, which notified me—by one of the clerygmen of Pittsburgh—

that they have just awakened to the fact that everything used in religion, including the candles on the altar, and the candle holders on the altar, will be taxed. Maybe some of us do not go to church enough to know that they use these things in church, but they do use these things in church and there are people in Pennsylvania who go to church and pray. I do not like to see a tax on the good people of Pennsylvania who, I have no doubt, are praying for our souls today, and God knows we need them.

Mr. President, there is one other thing which you tax. You have not stopped at religion, but now you are going to tax the patriotic people. If I buy a little flag to wave on the Fourth of July, I am taxed. In other words, the great party of patriotism and flagwaving has now changed to the point where we are going to put a tax on everybody who waves a flag.

The PRESIDING OFFICER. Will the gentleman yield a moment? May the Chair suggest that there is no tax on the flag he is now waving?

Mr. HOLLAND. Unfortunately, I do not have a flag, but even the flag behind the Presiding Officer will be taxed.

Mr. President, there is one other thing which I would like to point out. I made a telephone call to a friend of mine in the glass business last evening, because I have spent my life in that business. He informed me that when they fix a pot or a tank in a glass factory, they will be taxed. Everybody knows that they do not last long. They fall in, cave in and collapse from use, sometimes they are only in a day or two, or a week. Every time they use a new tank, they are going to be taxed.

Mr. President, I did not know that it went this far, but he informed me that his attorney told him that on every bit of maintenance done in that factory, as well as the maintenance done in the steel mills, a tax will be imposed. If you take electrical wiring and repair it, you have to pay a use tax under this bill. In the steel industry where they use refactories, every time they put refactories in, and they are putting them in all the time around the open blast furnaces, they will have to pay another tax.

Mr. President, I think the amendments were very fair. I think we are wasting a lot of time in the State doing nothing. Now that this bill has started through, we want to push it through in a hurry before we wake up to the things which we are doing.

Mr. President, if the Republican Party feels that they want to tax religious articles, that is up to them. I, as a Democrat, do not want to tax religious articles. I want to encourage people to use religious articles. If you want to tax the churches for every new altar rail they put in, or new altar they put in, that is up to you. I do not want to be accused of that.

Mr. President, I am now drawing it to your attention that you are putting a tax on patriotism, you are putting a tax on religion and, above all, you are taxing the maintenance of every factory in the State of Pennsylvania.

Mr. SILVERT. Mr. President, I consider this tax a bad tax primarily for the reasons already advanced, that it falls upon the people least able to pay.

Mr. President, perhaps, there is a silver lining to the cloud which is about to burst on the people of Pennsylvania, and that is a greater realization by the people of Pennsylvania, and by their representatives in the House and Senate, that the only solution to the tax muddle in Pennsylvania is an amendment to the Constitution to provide for a graduated income tax, a tax based upon the modern concept of ability to pay.

An the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Berger,	Kephart,	McPherson, Jr.	Wade,
Blass,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Letzler,	Peelor,	Watson,
Diehm,	Madigan,	Propert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Walker,
Hare,	McCusker,	Taylor,	Presiding Officer
Harney,			

NAYS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 811 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 12 of today's Calendar, House Bill No. 811, for consideration at this time .

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 811 as follows:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by defining net income and fixing the rate of tax in the case of stock life insurance companies and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing pen-

alties" as last reenacted and amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1746) are hereby reenacted and further amended to read as follows

An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 [In] Except as hereinafter provided in the case of stock life insurance companies in case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error is finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year and provided further that in the case of stock life insurance companies "net income" shall be the adjusted normal tax net income as returned to and ascertained by the Federal government And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attained to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the

wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of busness maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or fom the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the state the gross receipts under such contract shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be negotiable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of due fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum pen annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hunded forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such

tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hunded forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred [and] fifty three [.] and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five and provided further that in the case of stock life insurance companies the rate shall be one half of one per centum per annum on each dollar of the net income of such corporations received by and accruing to such corporations during the calendar years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where such a corporation reports to the Federal government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case the rate shall be one half of one per centum per annum on net income received by and accruing to such corporations during the fiscal years commencing in the calendar years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provision of existing laws

Section 4 Reports and Payments of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred [and] fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six to transmit to the department upon a form prescribed prepared and furnished by the department an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(3) Such other information as the department may require

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for settlement a petition for review or an appeal to court If it be thereafter

determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records of Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred [forty] fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred [and] fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred [and] fifty-four one thousand nine hundred nine hundred fifty-five and one thousand nine hunred fifty-six

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendment made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, in order to expedite the work of the day so that we can reach the end of the calendar, I would like to make a brief statement of policy which I have explained already to the Majority Leader.

Mr. President, the Democratic Minority refuses to play the role of dog in the manger. It refuses to accept the responsibilities of government without providing its share

Mr. President, these next bills are considered the basic tax bills of Pennsylvania, and provide the greater portion of the amount needed for the current expenses of the biennium. The Democratic Minority wishes it known that it is going on record as voting for all of the old taxes now being re-enacted, except the tax on transportation gross receipts, because it feels that in the final determination of that tax, it is probably more responsible for the bankruptcy of transportation companies because there is little or no relationship which can be measured in the relationship between gross receipts of transportation companies and the net return.

Therefore, Mr. President, we will be recorded unanimously on our side on all the tax bills being called out of order except the transportation tax, which is House Bill No. 816.

An the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kephart,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,

Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Walker,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HOUSE BILL No. 812 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 12 of today's Calendar, House Bill No. 812, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 812, as follows:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P L 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and County officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1763) are hereby reenacted and amended to read as follows

An Act

To provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-tock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 Net Income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and

other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross recipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or affected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and roya ties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or affected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignab'e to Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State except that if the activiies under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonweath or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred [and] fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred [and] fifty-three and ending in the calendar years one thousand nine hundred fifty-two one thousand nine hundred fifty-thre and one thousand nine hundred [and] fifty-four [:] and a similar tax at the rate of five per centum per annum upon each dollar of such net income received by and accuring to such corporation during the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where a cor-

poration reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum per annum shall be levied collected and paid upon each dollar of such net income received by and accuring to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-four and one thousand nine hundred fifty-five and ending in the calendar years one thousand nine hundred fifty-five and one thousand nine hundred fifty-six Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six to transmit to the department upon a form prescribed prepared and furnished by the department an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate

(2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(3) Such other information as the department may require

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five it shall be the duty of every corporation liable to pay tax under this act on or before the thirteenth day of April one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calender or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accuring in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable [year] years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporations shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of the corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extention of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extention of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless

be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the amount according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceedings as though it had been filed with such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of the year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlment upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforacement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS— 50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kephart,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 813 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 13 of today's Calendar, House Bill No. 813, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 813, as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 462) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class non-profit corporations and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors Provided further That after said [six] eight year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including

common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by mulitplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on with the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufactring in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayers for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or affected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or affected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or affected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total cost incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-four shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors without excluding from the numerators of the applicable fractions tangible property actually and exclusively used in manufacturing compensation of employes exclusively engaged in manufacturing and gross receipts from business strictly incident or appurtenant to manufacturing

After said [six] eight year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and

for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 The provisions of this act shall be retroactive to the first day of January one thousand nine hundred fifty-three so that domestic and foreign corporations limited partnerships and joint-stock associations organized for manufacturing purposes shall pay the tax imposed for the calendar years one thousand nine hundred fifty-three and one thousand nine hundred fifty-four or for the fiscal years beginning in the calendar years one thousand nine hundred fifty-three and one thousand nine hundred fifty-four as other domestic and foreign corporations limited partnerships and joint-stock associations

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kephart,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 816 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 13 of today's Calendar, House Bill No. 816.

BILI OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 816, Printer's No. 99, on third reading, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 900 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 13 of today's Calendar, House Bill 900 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 900, as follows:

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties

Section 1 The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" is hereby amended by adding after section 3 thereof a new section to read as follows

Section 3.1 (a) Each company which shall pay the tax imposed and passed by this act shall be issued certificates in such form as may be prescribed by the Secretary of Revenue which shall be attached by the company as directed by the Secretary to the windshields of vehicles owned or operated by the company and for which the tax has been paid

(b) Any company which shall fail to attach the certificate prescribed by this act shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not more than ten dollars ($10)

(c) Any company which shall attach a certificate to any vehicle except as provided by this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not more than fifty dollars ($50)

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kephart,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 906 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 14 of today's Calendar, House Bill No. 906, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 906, as follows:

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the fifth day of June one thousand nine hundred fortly-seven (P. L. 478) is hereby further amended to read as follows

Section 1 Be it enacted &c That this act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work but mine inspectors shall nevertheless at least once in each six months enter and inspect all mines where from [two] one to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards of safety provided by regulations promulgated by the Secretary of Mines he or his mine inspector shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Appeals from any order of the Secretary of Mines or any of his mine inspectors shall be taken as provided under the Administrative Agency Law Mandatory enforcement of any such order may be had by injunction proceedings In any mine where five or less persons are employed or where five or less persons are engaged in the production of anthracit the Secretary shall close such mine pending any appeal from his order or the order of any of his mine inspectors with respect to the correction of any unsafe conditions or from any restraining order of any court

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a minfe in which from [two] one to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of [twenty-five] fifty dollars [($25)] ($50) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of [fifty] one hundred dollars [($50)] ($100) and costs of prosecution and be imprisoned for a period of thirty (30) days Upon conviction of a second or subsequent offense each day during which a person shall operate or be a party to the operation of a mine contrary to the order of the mine inspector shall constitute a separate offense

Informations charging violations of any of the summary provisions of this act shall be brought before [the nearest available] any magistrate alderman or justice of the peace within the [city borough incorporated town or township] county where the alleged violation occurred [Provided That where there is no substantial difference between the respective distances from the place whre the alleged violation occurred to the offices of more than on magistrate alderman or justice of the peace any such prosecution may be brought before any one of such officers or if there is no person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 1118 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 16 of today's Calendar, House Bill No. 1118 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any foreign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint-stock associations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following terms when used in this act shall have the meanings ascribed to them in this section

"Department" means the Department of Revenue

"Foreign Corporation" means any corporation limited partnership or joint-stock association chartered or created by or under the laws of any other state or of the United States or of any foreign country which has been issued a certificate of authority by the Department of State to do business within this Commonwealth and which either (a) has its principal office or chief place of business located within this Commonwealth or (b) has any part of its capital actually employed within this Commonwealth the term "foreign corporation" shall not include foreign insurance companies and foreign non-profit corporations which do not have any capital stock

"Increase of Capital" means (a) as to foreign corporations doing business in this Commonwealth at the effective date of this act any increase of capital in excess of the amount actually employed wholly at any time prior to the first day of January one thousand nine hundred fifty-three by such corporations reporting on a calendar year basis or at any time prior to the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three by such corporations reporting on a fiscal year basis (b) as to corporations admitted to do business in this Commonwealth after the effective date of this act capital actually employed wholly within this Commonwealth at the time of or after receiving a certificate of authority to do business from the Department of State and any increase thereof

Section 2 Imposition of Tax From and after the effective date of this act every foreign corporation in addition to complying with all the laws of the Commonwealth now or hereafter in effect shall for the privilege of exercising its franchises in Pennsylvania pay to the Department an excise tax of one-third of one per centum upon the amount of any increase of capital actually employed wholly within this Commonwealth

Section 3 Initial and Annual Report Every foreign corporation shall within sixty (60) days after (a) the final enactment of this act or (b) the end of its fiscal year ending in one thousand nine hundred fifty-three file a report with the Department for information purposes on a form prescribed by the Department stating (1) the state or country in which incorporated or created (2) the date of incorporation or organization (3) location of its chief office in this Commonwealth (4) the name and address of its president and treasurer (5) the greatest amount of capital actually employed wholly within this Commonwealth during the preceding calendar or fiscal year (6) the greatest amount of capital actually employed wholly within this Commonwealth at any time prior to the preceding calendar or fiscal year and (7) such other information as the department shall dequire for the purpose of this act

Every foreign corporation shall thereafter make a similar report annually to the Department on a form prescribed by the Department on or before the seventy-fifth day after the close of its calendar or fiscal year setting forth therein (1) the state or country in which incorporated or created (2) the date of incorporation or organization (3) the date it qualified or was issued a certificate of authority to do business in this Commonwealth (4) the name and address of its president or treasurer (5) the greatest amount of capital actually employed wholly within this Commonwealth during such calendar or fiscal year and (6) such other information as the department shall require for the purpose of this act and shall pay to the Department at the time of filing such report the tax due under this act for such annual period

Section 4 Settlement Resettlement and Appeal All taxes due under this act shall be settled by the Department with the approval of the Department of the Auditor General and such settlement shall be subject to resettlement review appeal and refund to the same extent and in the same manner as is now provided by law for the settlement resettlement review appeal and refund of capital stock and franchise taxes imposed upon corporations If the officers of any foreign corporation shall neglect or refuse to make any report as herein required as shall knowingly make any false report an additional ten per cent (10%) of the amount of the tax shall be added to the tax determined by the said Departments to be due

The taxes imposed by this act shall bear interest at the rate of six per cent (6%) per annum from the date they are due and payable until paid Provided That any foreign corporation may pay the full amount of such tax or any part thereof together with interest thereon without prejudice to its right to resettlement review appeal or refund as provided by law with respect to capital stock and franchise taxes imposed on corporations

Section 5 Powers and Duties of Department The Department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and impose rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

The Department shall have the same powers relating to the administration or enforcement of this act as are conferred upon the Department by the laws relating to capital stock and franchise taxes imposed on corporations

Section 6 Penalties (a) Any person who shall wilfully make a false and fraudulent report under this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addtion to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the Department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section7 Constitutional Construction The Provisions of this act are not intended to be severable and if any provision hereof is found by a court of record to be unconstitutional and void the remaining provisions of this act shall fall and become void and the act repealed in Section 8 shall be revived and continued in force and effect as of the effective date of this act

Section 8 Repeal Subject to the conditions imposed in Section 7 of this act the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" is hereby repealed Provided further That the said act shall remain in force and effect as to bonus imposable and collectible for any period prior to the effective date of this act

Section 9 Effective Date This act shall become effective as of the first day of January one thousand nine hundred fifty-three for foreign corporations reporting on a calendar year basis or as of the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three for foreign corporations reporting on a fiscal year basis and the first annual reports required to be filed hereunder shall be filed for the calendar year one thousand nine hundred fifty-three or for any fiscal year beginning in the calendar year one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determhined in the affirmative.

Ordered, That the Clerk return said bill to House of Representatives with information that the Senate has passed the same with amendments.

HOUSE BILL No. 1119 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 16 of today's Calendar, House Bill No. 1119 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1119, as follows:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act when applied to corporations the terms

(a) "State Capital" shall be construed to mean (1) The number of share of capital stock authorized having a par value of multiplied by the par value thereof or (2) the value expressed in dollars of the entire consideration received by the corporation for or on account of its authorized shares without par value set forth in its articles of incorporation or applicable thereto irrespective of whether the consideration be allocated or applicable to stated capital or paid-in capital or both clauses (1) and (2) and in additions (3) such amounts not included in clauses (1) or (2) of this paragraph as may have been transferred to or are applicable to the stated capital or capital or paid-in capital with which the corporation will begin business whether upon the issue of shares as a dividend or otherwise minus such formal reduction from said sum as may have been effected in a manner permitted by law

(b) "Authorized Capital Stock" is intended to mean and shall be construed to mean the number of shares of capital stock having a par value multiplied by the par value thereof with which a corporation is authorized to begin business

(c) "Capital Shares" or "Capital Stock" shall be construed to mean the units which recognize the stockholders' rights to participate in the control of the corporation or in its surplus or in its profits or benefits or in the distribution of its assets or dividends

Section 2 Imposition of Tax An excise tax of one fifth of one per centum is hereby imposed for State purposes for the privilege of exercising corporate franchises or other powers or privileges within this State as follows

(a) Upon the amount of stated capital with which any corporation hereafter incorporated will begin business and upon the amount of increase thereof

(b) Upon the amount of increase of the stated capital of any corporation heretofore incorporated

(c) Upon the amount of the authorized capital stock of any corporation heretofore incorporated which is unissued at the date of passage of this act and upon the amount of each subsequent increase of the authorized capital stock of such corporation made after the passage of this act

(d) Upon the amount of the authorized capital stock of any corporation hereafter incorporated and upon the amount of each subsequent increase of authorized capital stock

(e) Upon the amount of authorized capital stock or stated capital which any corporation other than a banking corporation is authorized to have upon a renewal or extension of its charter

(f) In the case of the merger or consolidation of two or more corporations upon the amount of the authorized capital stock or stated capital of the new or merged corporation in excess of the greatest amount of the authorized capital stock or stated capital or both of the several corporations so merging or consolidating upon which bonus has been theretofore paid under prior laws or upon which the excise tax has theretofore been paid under the provisions of this act Provided That in case of the merger or consolidation of a foreign corporation which has any part of its capital actually employed within this State with a domestic corporation such new or merged or consolidated corporation shall be entitled to credit upon any tax due and payable for the amount of bonus or excise tax theretofore paid by such foreign corporation upon the amount of the capital actually employed within the State of Pennsylvania

(g) In the case of a trust company incorporated for the purchasing taking over merging or consolidating with any other trust company or purchasing taking over or consolidating with any bank banking company or savings institution where such purpose is expressed in its charter and in the case of a bank or banking company or savings institution incorporated to similarly acquire a trust company bank banking company or other savings institution upon the amount of the authorized capital stock or its stated capital expressed in its new charter or articles of incorporation which is in excess of the amount of the authoized capital stock or stated capital of the corporation or corporations purchased merged or acquired

(h) Upon the amount of the capital stock which a partnership association hereafter formed under the provisions of the act approved the second day of June one thousand eight hundred and seventy-four (P. L. 271) entitled "An act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances" and a partnership hereafter formed under the provisions of the act approved the ninth day of May one thousand eight hundred and ninety-nine (P. L. 261) entitled "An act authorizing the formation of partnerships in which one or more or all of the partners may limit their liability for the debts of the partnership to the amount of capital subscribed by such partner or partners respectively and providing penalties for violation of its provisions" shall have and upon the amount of any increase of the capital of any such partnership association or partnership heretofore or hereafter formed

Section 3 Exceptions No excise tax shall be imposed or be collected under the provisions of this act (a) in the case of the incorporation or the increase of the capital stock of a building and loan association or credit union or (b) from any corporation named in the first class of section two of the act approved the twenty-ninth day

of April one thousand eight hundred and seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" which does not have any capital stock or (c) upon capital stock to the extent upon which a bonus has been heretofore paid under prior laws or under laws repealed by this act or which was not liable for the payment of bonus under then existing laws

In the case of any corporation issuing shares of stock without nominal or par value no increase in the number of outstanding shares without nominal or par value shall warrant the imposition of any excise tax under the provisions of this act unless there shall be an increase in the stated capital of the corporation issuing such shares and if there be such increase in stated capital the excise tax shall be imposed and computed upon the amount of such increase only

In the case of any corporation created by or under the laws of any other state and authorized by a certificate of authority to do business in this Commonwealth becoming a corporation of this Commonwealth in the manner provided by law said corporation shall be liable for the excise tax imposed herein on its capital stock or stated capital or both to the same extent at the same rate and in the same manner as corporations created under the laws of this Commonwealth are liable Provided That said corporation shall be entitled to a credit on the excise tax imposed herein by exempting from the payment of the excise tax capital stock equal to the capital upon which such foreign corporation has therefore paid bonus or the excise tax under the laws of this State

Section 4 Settlement and Collection of Tax Interest and Penalties It shall be the duty of the Secretary of the Commonwealth to settle and collect all excise tax interest thereon and penalties for failure to file any report required by this act to be filed by a corporation or to file any report of the tax imposed upon any corporation by this act

Section 5 Payments to the Secretary of the Commonwealth Except as hereinafter otherwise provided the excise tax imposed by this act shall in each case be paid by the corporation limited partnership or joint stock association liable for the same to the Secretary of the Commonwealth for the use of the Commonwealth

Section 6 Reports Due Date of Tax Interest Penalties Settlement and Resettlement Collection and Lien

(a) Every corporation required to pay the excise tax in accordance with the provisions of this act shall in a form prescribed by the Secretary of the Commonwealth report to the Secretary of the Commonwealth on or before sixty (60) days from the effective date of this act the name location of registered office the date of incorporation and the amount of its authorized capital stock or stated capital as of the effective date of this act the maximum amount of capital stock or stated capital outstanding at any time between the date of incorporation and the effective date of this act the amount of the capital stock outstanding as of effective date of this act giving such other information about such capital stock or stated capital as the Secretary of the Commonwealth shall require for the purpose of this act

(b) Upon the increase of the stated capital of any corporation it shall be the duty of the president or treasurer thereof within thirty (30) days thereafter to file a report thereof with the Secretary of the Commonwealth and concurrently therewith such corporation shall pay to the Secretary of the Commonwealth the excise tax due on such increase

(c) The amount of excise tax due the Commonwealth upon authorized capital stock or stated capital of any corporation hereafter incorporated shall be due and payable concurrently with filing its articles of incorporation or application for a charter

(d) The amount of excise tax due the Commonwealth upon the increase of the authorized capital stock of any corporation heretofore or hereafter incorporated shall be due and payable concurrently with filing its articles of amendment

(e) The excise tax due under the provisions of this act upon the amount of authorized but unissued capital stock of any corporation heretofore incorporated as of the effective date of this act shall be due and payable at the option of the corporation (1) either upon the amount of such authorized capital stock within sixty days from the effective date of this act or (2) upon the amount of such authorized capital stock within thirty (30) days after the issuance of the capital shares or capital stock so authorized In either case the corporation shall make a report thereof to the Secretary of the Commonwealth within the sixty (60) or thirty (30) day period and shall make payment of the tax due concurrently with the filing of the report

(f) The excise tax due upon the increase of authorized capital stock or stated capital in the case of a merger or consolidation as provided in this act shall be due and payable by the merged or consolidated corporation concurrently with te filing of articles of merger or consolidation

(g) The excise tax due the Commonwealth under the provisions of this act shall bear interest at the rate of six per centum (6%) per annum from the date it is due and payable until paid The payment of such interest shall not relieve any corporation or partnership from any of the penalties imposed by law for neglect or refusal to make a report to the Secretary of the Commonwealth or to pay any excise tax due the Commonwealth from such corporation or partnership

(h) In case any corporation or any officer thereof shall neglect or omit to file a report within sixty (60) days from the effective date of this act furnishing information required by this act as of the effective date thereof such corporation shall be subject to a penalty of five hundred dollars ($500) and in case any corporation or any officer thereof shall neglect or omit to file a report and pay the excise tax as required by this act such corporation shall be subject to a penalty of ten per centum (10%) of the tax and interest due thereon or fifty dollars ($50) whichever shall be the larger amount in addition to the tax The Secretary of the Commonwealth may remit such penalties for reasons satisfactory to him

(i) Within six (6) months from the due date of any report or tax payment as provided in this act the Secretary of the Commonwealth shall settle and assess the excise tax and interest then due and payable against each corporation which shall have omitted or failed to file any report required by this act or to pay any and all tax imposed by this act on its capital stock or stated capital and the penalty imposed by this act for the failure so to do

(j) Promptly after the date of any such settlement the Secretary of the Commonwealth shall send by mail or otherwise a copy thereof to such corporation The tax interest and penalty imposed by this act shall be subject to the right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations except that any petition for resettlement of such settlement shall be filed with the Secretary of the Commonwealth In the event of any adjustment of the excise tax in respect to which a penalty has been assessed for failure to file any report required by this act the penalty shall be adjusted in accordance with the provisions of this act imposing such penalty

(k) Whenever any tax interest or penalty imposed by this act are not paid within ninety (90) days

(1) From the date of settlement if no petition for resettlement has been filed or

(2) From the date of resettlement or refusal of any petition for resettlement if no petition for review has been filed or

(3) From the date of the decision by the Board of Finance and Revenue upon a petition for review or the expiration of said board's time for acting upon such petition if no appeal has been filed and in all cases of judicial sales assignments or bankruptcies the Secretary of the Commonwealth shall call upon the Department of Justice to collect the same in the same manner as provided by law in the case of other taxes imposed for State purposes

(1) For the purpose of enforcing collection all unpaid

excise tax and penalties settled against any corporations and partnerships under the provisions of this act including any interest due thereon shall be a first lien upon the franchises and property both real and personal of such corporations and partnerships from the date of such settlement thereof with the same force effect and remedies as provided by law in the case of other taxes for State purposes

(m) The amount of the excise tax due the Commonwealth upon the capital stock which any partnership hereafter formed or organized and made taxable under the provisions of this act shall have shall be due and payable to the Department of Revenue concurrently with its formation or organization and upon the increase of the capital stock of any partnership heretofore or hereafter formed or organized and made taxable under the provisions of this act it shall be the duty of the chairman or treasurer or other proper officer to make a report within thirty (30) days thereafter to the Department of Revenue of the amount of the increase of capital stock actually made and concurrently therewith such partnership shall pay to the Department of Revenue the excise tax due on such increase of capital stock

(n) In case any partnership taxable under the provisions of this act or any officer thereof shall neglect or omit to make any report or tax payment required by this act such partnership shall be subject to a penalty of ten per centum (10%) of the excise tax or fifty dollars ($50) whichever shall be the larger amount in addition to the tax which penalty together with the tax and interest due thereon shall be collected on an account settled by the Department of Revenue as accounts for taxes due the Commonwealth are settled and collected The Department of Revenue may remit such penalty for reasons satisfactory to it

(o) The provisions of this act in respect to the excise tax interest and penalties due from corporations are applicable to the excise tax interest and penalties due from partnerships except that where necessary the powers and duties conferred upon the Secretary of the Commonwealth in the case of corporations are conferred upon the Department of Revenue in the case of partnerships

Section 7 Effect of Falure to Pay the Excise Tax The Governor of this Commonwealth shall not issue any letters patent to any corporation nor shall the Secretary of the Commonwealth issue a certificate of incorporation or a certificate of merger to any corporation nor shall any domestic corporation partnership or partnership association go into operation or exercise any corporate or other powers or privileges until the excise tax imposed by this act has been paid to the proper officer of the Commonwealth

The Secretary of the Commonwealth shall not permit the filing in his office of any proceedings for the increase of capital stock or stated capital or both of any corporation until he is satisfied that the excise tax upon such increase of capital stock or stated capital has been paid

No articles of association to form a partnership or any amendment increasing the capital stock thereof shall be accepted of record by the recorder of deeds in any county in this Commonwealth unless there is annexed thereto a receipt of the Department of Revenue for the amount of the excise tax due under this act said receipt to be made a part of the articles of association and recorded therewith

The articles of association of any partnerships which shall not pay the excise tax imposed by this act shall be void and of no effect and every person a party thereto shall be held liable as general partners

Section 8 Compromise of Settlement of Tax Interest and Penalties If any corporation bank trust company or partnership required to pay the excise tax under the provisions of this act is indebted to the Commonwealth for such tax and interest and penalties thereon shall have gone into liquidation become insolvent ceased to carry on business or has no known or available property in this or any other state which may be seized in execution of process issued out of any court of this or any other state or if the property of such corporation bank trust company or partnership is insufficient to pay the tax and interest and penalties or interest or penalties due the Commonwealth the Secreary of the Commonwealth may with the approval of the Auditor General and the Attorney General compound compromise or settle such tax and interest and penalties or such tax or interest or penalties on such terms as said officials may determine to be for the best interests of the Commonwealth and any lien of the Commonwealth for such tax and interest and penalties or for such tax or interest or penalties shall be reduced to the amount of such tax and interest and penalties or such tax or interest or penalties as so compounded compromised or settled

Section 9 Constitutional Construction The provisions of this act are not intended to be severable and if any provision hereof is found by a court of record to be unconsitutional and void the remaining provisions of this act shall fall and become void and the acts repealed in Section 10 shall be revived and continued in force and effect as of the date of the passage of this act

Section 10 Repeal Subject to the conditions imposed in Section 9 the following acts are hereby repealed

The Act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled "An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships"

The act approved the twenty-first day of April one thousand nine hundred and thirty-seven (P. L 315) entitled "An act to amend section three of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' exempting credit unions from the provisions of the act"

The act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 473) entitled "An act to amend section three of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' as amended by providing that foreign corporations becoming domestic corporations shall be entitled to a credit on bonus by exempting from the payment of bonus capital stock equal to the capital stock upon which such foreign corporation has theretofore paid bonus under existing laws of this State"

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (P. L 671) entitled "An act to amend sections five six and seven of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships'"

The act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 609) entitled "An act to amend the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providng for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships'"

The act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 609) entitled

"An act to amend the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' as amended by clarifying and enlarging its meaning and modifying and changing the provisions relating to the imposition computation and collection of bonus imposed by said act requiring certain reports imposing additional duties on State county and corporate officers creating a lien for unpaid bonus and imposing penalties"

The act approved the twenty-third day of May one thousand nine hundred and forty-five (P. L. 857) entitled "An act to further amend section six (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' as last amended by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General and the Attorney General to compromise and settle claims for bonus interest and penalties thereon in certain cases"

All other acts and parts of acts inconsistent with this act are hereby repealed but the repeal of any act of Assembly shall not estop the assessment or collection of any bonus interest or penalty by the Commonwealth due or liable to become due under such acts before such repeal

Section 11 Savings Clause The provisions of the acts repealed in Section 10 of this act shall remain in force and effect as to bonus imposable and collectible for any period prior to the effective date of this act

Section 12 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert.	Yosko.
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE BILL No. 816 CALLED UP

Mr. MAHANY. Mr. President, at this time I call up from page 13 of today's Calendar, House Bill No. 816, Printer's No. 99, which went over in its order temporarily.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 816, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend page 1, by adding after the last line of the title the following: "and by extending the tax to gross receipts from activities beginning and terminating within this State where a portion of such activities occurs outside of this State"; Amend page 5, line 8, by inserting after the word "within" and before the word "the" the following: "["; and by inserting after the word "the" and before the word "State" the following: "] this"; Amend page 5, line 13, by inserting after the word "within" and before the word "the" the following: "["; and by inserting after the word "the" at the end of the line the following: "] this"; Amend page 5, line 14, by inserting after the word "State" and before the word "The" the following: "The phrase 'wholly within this State' as used in this section shall include all transportation, transmission, or other taxable activities which originate and terminate within this State, even though a part thereof may occur beyond the geographical limits of this State before so terminating: Provided, however, That only that portion of the gross receipts allocable to the transportation, transmission or other activities occuring within the geographical limits of this State shall be liable for tax under this act." Amend page 6, line 4, by inserting after the word "within" and before the word "the" the following: "["; and by inserting after the word "the at the end of the line the following: "] this."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 816, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent

that House Bill No. 1152, Printer's No. 469, on concurrence in House amendments recalled from the Governor, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 10, as follows:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the tax rate on property transferred to lineal descendants of adopted children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the twenty-first day of December one thousand nine hundred fifty-one (P. L. 1713) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children lineal descendants of legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of fifteen per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the intestate laws of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestate has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing to or from the use of a first cousin or other relative more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the intestate laws of this Commonwealth of an estate or a portion of an estate which estate or portion thereof shall not have been distributed prior to the passage of this act In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth And provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication thereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silver,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 35, as follows:

An Act Giving the consent of the Commonwealth of

Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler Commonwealth of Pennsylvania known as the Veterans Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land in the Township of Butler County of Butler known as the Veterans Administration Hospital the first tract being bounded and described as follows

Beginning at a point on the center line of State Highway Route No 68 at the distance of 534.4 feet measured S 88° 30′ W from a point common to the lands of McCandless Heirs and Walter A Kradel thence extending S 88° 30′ W along the center line of said Highway 620.6 feet to a point a corner common to the lands of Walter Kradel and the Hospital Grounds owned by the State of Pennsylvania thence along the line of lands of said Hospital N ½° W 1122 feet to a corner in line of land of said Hospital thence continuing along land of said Hospital N 88° 30′ E 627 feet to a monument set for a corner in line of land of . . . Vangorder thence southeast along line of lands of . . . Vangorder Graham and Walter A Kradel (passing thru a monument located 35 feet northwest of the center line of Highway aforesaid) 1122 feet to the first mentioned point or place of beginning Containing 16 acres more or less and being a part of the same land conveyed to William H Miller unmarried Grantor herein by Walter A Kradel et ux by deed dated August 14 1944 and recorded in the Office of Recorder of Deeds for Butler County on the 14th day of August 1944

The second tract consisting of two parcels being bounded and described as follows

111.87 acres more or less acquired by a judgment on a declaration of taking entered by the United States District Court for the Western District of Pennsylvania on June 26 1946 in an action entitled United States of America vs Certain Lands in Butler County Pennsylvania the General State Authority Commonwealth of Pennsylvania et al Civil Action No 5817 which are described as follows

Parcel No 1 On the North by a public highway known as Traffic Route No. 422 on the East by a public road known as the Duffy road on the South by lands of formerly Keefer now Kradel and Corder and the public road known as Traffic Route No 68 and on the West by lands of formerly McKee now Butler County National Bank and Trust Company and Miller

Said tract of land being more particularly bounded and described by courses and distances as follows to wit

Beginning at a point in the center line of the Butler-New Castle public road also known as traffic route No 422 being the Northwestern corner of the tract of land herein described thence along the center line of said public road South 59 deg 24′ 30″ East two thousand five hundred forty-one and 88/100 (2,541.88) feet to a point in the center line of said road thence continuing along the center line of said road South 59 deg 47′ East ninety-four and 8/10 (94.8) feet to a point in the center line of said Butler-New Castle public road being the northeastern corner of said tract thence along the center line of a township road known as the Duffy road South 3 deg 20′ East eight hundred thirty-eight and 31/100 (838.31) feet to a point in the center line of said township road thence along lands of formerly Keefer now Graham and Kradel South 86 deg 55′ West one thousand one hundred thirty-seven and 24/100 (1,137.24) feet to a monument thence along lands formerly of Keefer now W F Kradel South 2 deg 20′ 30″ East one thousand one hundred twenty (1,120) feet to a point in the center line of the Butler-Petersville road also known as traffic route No 68 thence along the center line of said Butler-Petersville public road South 86 deg 57′ West one thousand nineteen and 4/10 (1,019.4) feet to a point in the center line of said public road thence along the center line of said public road South 85 deg 34′ West one hundred (100) feet to a point in the center line of said Butler-Petersville public road thence along the center line of said public road South 81 deg 19′ West forty-two and 3/10 (42.3) feet to a point in the center line of said Butler-Petersville public road thence along lands of formerly McKee now Butler County National Bank & Trust Company North 2 deg 19′ West one thousand one hundred nineteen and 50/100 (1,119.50) feet to a monument on line of lands of now Catherine Miller thence along lands of now Catherine Miller North 86 deg 45′ 30″ East seventy-nine and 20/100 (79.20) feet to a monument thence along lands of formerly McKee now Catherine Miller North 2 deg 34′ West two thousand three hundred three and 68/100 (2,303.68) feet to a point in the center line of the Butler-New Castle public road the place of beginning containing one hundred nine and 45/100 (109.45) acres strict measure as per survey of L C D Greenough C E dated September 1937 Being the same premises which Charles P Robinson et al by deed dated the first day of September A D 1937 and recorded on January 21 1938 in the Recorder's Office of Butler County Penna in Deed Book No 493 page 53 granted conveyed and confirmed unto the General State Authority its successors and assigns

Parcel No 2 Beginning at the Southeast corner of the tract herein conveyed at a point in the center of a public road said point being 809.8 feet South six (6) degrees thirty-two (32) minutes West from a point in the center of a public road known as the Duffy Road thence South sixty-one (61) degrees thirty-nine (39) minutes West 20.11 feet along the center line of said public road to a point thence North thirteen (13) degrees thirty-three (33) minutes West 264.02 feet along the center line of a thirty-three foot Private Road thence along same North fifty-nine (59) degrees forty-four (44) minutes West 270.0 feet to a point in the center of said thirty-three foot Private Road the southwest corner of the tract herein conveyed thence leaving said thirty-three feet Private Road North seventeen (17) degrees ten (10) minutes East 276.2 feet along other lands of the grantor to a post the northwest corner of the tract herein conveyed thence South seventy-five (75) degrees fifteen (15) minutes East 273.16 feet along other lands of grantor to a post the northeast corner of the tract herein conveyed thence South six (6) degrees thirty-two (32) minutes West 487.4 feet along other lands of grantor to a post on line of the thirty-three foot Private Road above mentioned thence South thirteen (13) degrees thirty-three (33) minutes East 96.0 feet along line of said thirty-three feet Private Road and lands of grantor to a point in the center of a Public Road the place of beginning Containing 2.42 acres according to a survey made by L C B Greenough C E November 1938 of a portion of the Waldron Farm owned by Butler Township Butler County Pennsylvania Being the same premises which the Township of Butler Butler County Pennsylvania by deed dated the 31st day of October 1938 and recorded on the 9th day of December 1938 in the said Recorder's Office in Deed Book No 497 page 83 granted conveyed and confirmed into the General State Authority its successors and assigns

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner

as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 124, Printer's No. 303, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 167, as follows:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator for depositions discovery and inspection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State goverment providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1302 Powers and Duties of Escheators Appointed by the Department of Revenue Escheators appointed by the Department of Revenue under the provisions of this act shall exercise the powers and perform the duties herefore exercised and performed by escheators appointed by the Auditor General in connection with the recovery or collection of escheated property real or personal including the following

* * * * *

(b) Whenever he shall have been commissioned by the Department of Revenue of and concerning any property real or personal escheated or supposed to have escheated to the Commonwealth he may apply by petition to the court having jurisdiction in the premises to hear and determine whether an escheat has occurred or not He shall in his petition set forth the facts of his appointment the nature and character of the alleged escheat and as far as he conveniently can the location character and amount of property real and personal alleged to have escheated together with the name and address of the person or persons having the same in his or their possession The escheator may join in one petition any number of items though held for different persons A copy of the petition shall be served within the time and in the manner provided for the service of a writ of summons or complaint in an action of assumpsit under the provisions of the Pennsylvania Rules of Civil Precedure upon the person or persons having such property in his or their possession Such person or persons shall within twenty days after service of the said petition file an answer thereto setting forth the name if known and last known address of every person having an interest in the property together with any other facts relative thereto of which the person or

persons having such property in his or their possession shall have knowledge Thereupon the court shall have power to proceed as heretofore in cases in which similar petitions have been filed by escheators commissioned by the Auditor General

* * * * *

Section 2 Section 1302 of said act hereby amended by adding at the end thereof a new clause to read as follows

Section 1302 Powers and Duties of Escheators Appointed by the Department of Revenue Escheators appointed by the Department of Revenue under the provisions of this act shall exercise the powers and perform the duties heretofore exercised and performed by escheators appointed by the Auditor General in connection with the recovery or collection of escheated property real or personal including the following

* * * * *

(i) The escheator may either before or after filing a petition in escheat file a petition in the Court of Common Pleas of Dauphin County or in the court of common pleas of the county in which the defendant may be served in the manner provided for the service of a writ of summons or complaint in an action of assumpsit for the despositions discovery and inspection and the procedure upon such petition shall be in accordance with the Pennsylvania Rules of Civil Procedure relating to depositions discovery and inspection

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall apply to proceedings now pending and to proceedings hereafter instituted

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 223, Printer's No. 307, and

Senate Bill No. 281, Printer's No. 336.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 283, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by exempting from such tax receipts derived from the operation of school buses in transporting pupils to and from school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" as amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 451) is hereby further amended to read as follows

Section 2 Each company shall pay an excise tax for the use of the highways of this Commonwealth For the purpose of ascertaining the amount to be paid each such company shall on or before the first day of February of each year file with the Department of Revenue on forms prescribed and furnished by it a report under oath or affirmation setting forth (1) The name and address of the company owning or operating such motor vehicle or vehicles (2) the location of the principal place of business of such company (3) the name and address of the person in this Commonwealth upon whom service of process or other notice may be had against such company (4) a schedule if any or if not a description of the routes over which such company shall have operated over highways in this Commonwealth during the period for which the report is filed (5) the number of miles of all routes over which such motor vehicle or motor vehicles shall have been operated by such company during the period for which the report is filed (6) the number of mlies within this Commonwealth of all such routes so operated during the period for which the report is filed [and] (7) the number of miles of routes in this Commonwealth of school buses transporting pupils to and from school operated by such company (8) the amount of gross receipts derived from the operation of school buses in this Commonwealth in transporting pupils to and from school and (9) the amount of gross receipts of such company from all sources upon its operations during the period for which the report is filed and such other relevant information as the Department of Revenue may require in connection with the settlement of the excise tax hereinafter provided for the calendar year immediately preceding the first day of January of each year

Section 2 Section 3 of said act as last amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1761) is hereby further amended to read as follows

Section 3 The amount of excise tax annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report except receipts derived from the operation of school buses in transporting pupils to and from school and (2) in case of a company operating over routes when only a part of such [s] route lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes exclusive of routes of school buses transporting pupils to and from school operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 482, Printer's No. 367, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 500, entitled:

An Act to amend the Act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need burial contracts.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. McPHERSON, Jr. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 13), page 3, lines 15 and 16, by striking out "or contract to furnish funeral" in line 15 and all of line 16 and inserting in lieu thereof: "to or enter into a pre-need funeral service contract"; amend Sec. 2 (Sec. 13), page 3, line 17, by striking out the following: "or accept any money or other consideration in payments thereof"; amend Sec. 2 (Sec. 13), page 3, line 19, by striking out "such" and inserting after the word "money" the following: "for such contracts"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on Third Reading, as amended?

BILL OVER IN ORDER

Mr. McPHERSON, Jr. Mr. President, I ask unanimous consent that House Bill No. 500, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 516, as follows:

An Act to further amend Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other moneys or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against theCommonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by extending the filing period for capital stock franchise corporate loans and foreign bonus reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody of disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every

department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 704 Extensions of Time The Department of Revenue may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any tax report tax return or bonus return grant to the person association or corporation required to file such report or return an extension of not more than sixty days within which such report or return may be filed without penalty or in case the Federal income tax authorities at any time grant a longer extension of time for filing tax reports with the Federal government the department may grant an additional extension of time for filing capital stock franchise corporate loans and foreign bonus reports of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act The department may also in its discretion extend generally for a period not exceeding fifteen days the time within which reports or returns may be filed for any tax The provisions of this section shall not be construed to affect the provisions of any other act authorizing the department to grant extensions of time for filing corporate net income tax reports

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Walker,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Watkins,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 576, Printer's No. 393,

House Bill No. 612, Printer's No. 434,

House Bill No. 613, Printer's No. 435, and

House Bill No. 626, Printer's No. 130,

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 638, as follows:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon ertain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 823) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation

and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the suppements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under an act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two to assess such shares for taxation at the rate of eight mills upon each dollar of the actual value thereof and for the calendar year ending December thirty-first one thousand nine hundred forty-three at the rate of five mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company within a period of [sixty] thirty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be applicable to reports required to be filed in the year one thousand nine hundred and fifty-four and thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 639, as follows:

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 908) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of [sixty] thirty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local

assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be applicable to reports required to be filed in the year one thousand nine hundred and fifty-four and thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Walker,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Watkins,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 752, Printer's No. 387, and

Senate Bill No. 753, Printer's No. 386.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1021, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further regulating size and weight of buses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended in part by the acts approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) the twenty-second day of May one thousand nine hundred forty-five (P. L. 840) the eleventh day of May one thousand nine hundred forty-nine (P. L. 1094) and the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

(a) No vehicle except motor buses motor omnibuses and fire department equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of ninety-six (96) inches except that the limitations as to size of vehicle stated in this act shall not apply to vehicles loaded with hay or straw in bulk

(b) No vehicle except motor buses motor omnibuses and vehicles used exclusively to repair overhead lights and wires and fire department equipment shall exceed a total maximum height including any load thereon of one hundred fifty (150) inches but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles excepting that until but not after January first one thousand nine hundred forty-one any vehicle properly registered in Pennsylvania on the effective date of this act may be of a total height including any load thereon of one hundred seventy-four (174) inches Provided however That [any motor bus operated within a municipality or in a business or residence district may be of a total height including any load thereon of one hundred seventy-four (174) inches and] any vehicle carrying motor vehicles may be of a total height including any load thereon of one hundred sixty-two (162) inches

(c) No vehicle except motor buses motor omnibuses and fire department equipment shall exceed a total maximum length including any load thereon of four hundred twenty (420) inches [except fire department equipment and except buses with toilet facilities which shall not exceed a length of four hundred eighty (480) inches and which when in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles] and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles imposible of dismemberment which do not exceed seventy (70) feet

1 No motor vehicles shall be operated upon a highway drawing or having attached thereto more than one other vehicle Provided That a trailer not exceeding ten (10) feet in length may be atached to one motor vehicle for the purpose of towing another vehicle requiring service to which such trailer is also attached

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels

(d) No vehicle except a trailer or semi-trailer shall carry any load or part thereof extending more than five (5) feet beyond the front extremity

(e) No vehicle except as herein provided shall carry any load extending beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fender on the right side thereof

[(f) It shall be unlawful for any person to transport on a motor vehicle trailer or semi-trailer operated for the carriage of pasengers for hire a load of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five consecutive miles]

(g) No truck tractor and semi-trailer coupled together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further that nothing in this subsection shall prohibit the transportation of articles imposible of dismemberment which do not exceed seventy (70) feet

Penalty Any person violating any of the provisions of subsection (a) (b) (c) (d) (e) or (g) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days [Any person violating any of the provisions of subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars or more than twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days] Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Section 2 Clause (e) of Section nine hundred three of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) Clause (f) of said section as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) and the penalty clause of said section as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) are hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * * *

(e) No four wheeled vehicle except motor buses motor omnibuses and fire department equipment [and any motor bus operated within a municipality or in a business or residence district] shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(f) No six or more wheeled vehicle except fire department equipment and motor buses and motor omnibuses shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or in excess of eight thousand (8,000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or in exces of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

* * * * *

Penalty Any person operating any vehicle or combination of vehicles except motor buses and motor omnibuses upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in that particular case and not exceeding by more than ten (10) per centum the maximum weight allowed shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles except motor buses and motor omnibuses on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in that particular case shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 3 Said act is hereby amended by adding immediately following Section nine hundred seven thereof a new section to read as follows

Section 908 Motor Buses and Motor Omnibuses Size and Loads (a) Two Axle Motor buses and motor omnibuses shall not exceed a total maximum length of four hundred twenty (420) inches and three axle motor buses and motor omnibuses shall not exceed a total maximum length of four hundred eighty (480) inches and shall not exceed a total maximum height of one hundred fifty (150) inches Provided however That any motor bus or motor omnibus operated within a municipality or in a business or residence district may be of a total height including any load thereon of one hundred seventy-four (174) inches Provided further That any motor bus or motor omnibus operated on a route wholly within a municipality may with the consent of the municipality be of a total length not exceeding four hundred eighty (480) inches and any motor bus or motor omnibus operated on a regular route which traverses more than one political subdivision may with the approval of the Public Utility Commission be of a total length not exceeding four hundred eighty (480) inches Motor buses and motor omnibuses shall not exceed a total maximum width of ninety-six (96) inches

(b) No motor bus or motor omnibus having two axles except motor buses and motor omnibuses operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(c) No motor bus or motor omnibus having three axles shall be operated upon any highway with a gross weight in excess of forty thousand (40,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel

for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

(d) It shall be unlawful for any person to transport in a motor bus or motor omnibus a load exceeding by more than twenty-five (25) per centum the registered seating capacity of such vehicle or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing the load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five (35) consecutive miles

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days Any person operating any motor bus or motor omnibus upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in subsections (b) or (c) and not exceeding by more than ten (10) per centum the maximum weight allowed shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any motor bus or motor omnibus on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in subsections (b) or (c) shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Any person violating any of the provisions of subsection (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars or more than twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Harney,	McGinnis,	Taylor,
Barr,	Holland,	McMenamin,	Toole,
Berger,	Kephart,	McPherson, Jr.	Wade,
Blass,	Kessler,	Miller,	Wagner,
Camiel,	Kopriver, Jr.	Pechan,	Walker,
Chapman,	Lane,	Peelor,	Watson,
Crowe,	Leader,	Propert,	Weiner,
Dent,	Letzler,	Ruth,	Wolfe,
Diehm,	Madigan,	Silvert,	Wood,
DiSilvestro,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Watkins,
Haluska,	McCreesh,	Stiefel,	Presiding Officer
Hare,	McCusker,		

NAYS—1

Fleming,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1042, as follows:

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" as amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 50) are hereby further amended to read as follows

An Act

Authorizing the Pennsylvania Historical and Museum Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof [by the Department of Forests and Waters] authorizing [department] commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor

Section 3 [The Department of Forests and Waters] The Pennsylvania Historical and Museum Commission shall have full control management and supervision of the Conrad Weiser Memorial Park and shall have power to adopt and carry into effect plans for the restoration improvement and maintenance of the park and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Watkins,
Chapman,	Kopriver, Jr.	Pechan,	Watson,
Crowe,	Lane,	Peelor,	Weiner,
Dent,	Leader,	Propert,	Wolfe,
Diehm,	Letzler,	Ruth,	Wood,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1267, Printer's No. 258, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 32, entitled:

An Act to further amend Section 2 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of this act

And said bill having been read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 321, Printer's No. 392, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 444, on second reading, entitled:

An Act to further amend the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation," by authorizing the sale of refunding bonds without advertisement or competitive bidding.

be recommitted to the Committee on Education.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 454, Printer's No. 391,
Senate Bill No. 475, Printer's No. 345,
Senate Bill No. 478, Printer's No. 384,
Senate Bill No. 626, Printer's No. 370,
Senate Bill No. 650, Printer's No. 372,
House Bill No. 651, Printer's No. 204,
House Bill No. 768, Printer's No. 374,
House Bill No. 1098, Printer's No. 393,
House Bill No. 1302, Printer's No. 332,
House Bill No. 1336, Printer's No. 291,
House Bill No. 1350, Printer's No. 466,
House Bill No. 1420, Printer's No. 383,
House Bill No. 1421, Printer's No. 384,
House Bill No. 1424, Printer's No. 402, and
House Bill No. 1440, Printer's No. 424.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for ten minutes, for the purpose of holding a meeting of the Committee on Constitutional Changes and Federal Relations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER (John M. Walker) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Constitutional Changes and Federal Relations, reported as committed Senate Bill No. 578, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania by providing for exemption of certain disabled veterans from certain taxes.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as amended Senate Bill No. 680, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania providing for graded and graduated income taxes and for exemptions therefrom.

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Constitutional Changes and Federal Relations, reported as committed House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed House Bill No. 310, entitled:

A Joint Resolution proposing an amendment to section eight, article five of the Constitution of the Commonwealth of Pennsylvania, authorizing the Court of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

BILL INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. FLEMING and BARR read in place and presented to the Chair Senate Bill No. 780, entitled:

An Act to add subsection (d) to section 4 of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by authorizing Pension Boards of cities of the second class to make annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

Which was committed to the Committee on Local Government.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 14, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 948) entitled "An act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation" by authorizing the Department of Highways to add two new routes in Cumberland, Delaware and Philadelphia counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 27, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 263, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of making payments to certain school districts operating high schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consid eration of House Bill No. 310, entitled:

House Bill No. 310, entitled:

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Court of Common

Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 336, entitled:

House Bill No. 336, entitled:

An Act to amend section one thousand one hundred seventy of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 461, entitled:

An Act to amend section one thousand nine hundred sixty-six of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising. conoslidating and changing the laws relating thereto," by further providing for sabbatical leaves of absence.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 578, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania by providing for exemption of certain disabled veterans from certain taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act authorizing the State Highway and Bridge Authority upon agreement with the Department of Highways and approval of the Governor to erect, construct and maintain a bridge over the Ohio River between a point in or near the Borough of Shippingport Beaver County and a point in such county on the opposite side of the Ohio River, and to provide the necessary approaches and connections with State highways; authorizing the collection of tolls and charges; providing for designation of such bridges, approaches, and connections as State highway routes, and their maintenance as such routes, thirty years after construction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 599, entitled:

An Act authorizing the State Highways and Bridge Authority, upon agreement with the Department of Highways and approval of the Governor, to erect, construct and maintain a bridge over the Ohio River in or near the Borough of Aliquippa, Beaver County, and the Borough of Baden, Beaver County, to connect with State highways, and to provide the necessary approaches and connections with such State highways, authorizing the collection of tolls and charges, providing for designation of such bridges, approaches and connections as State Highway routes, and their maintenance as such routes, thirty years after their construction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 661, entitled:

An Act to further amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), enttled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting Commonwealth payments to school districts on account of obligations to the State Public School Building Authority, municipality authorities and nonprofit corporations, where the districts have not exhausted their borrowing power.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 680, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Common-

wealth of Pennsylvania providing for graded and graduated income taxes and for exemptions therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 696, entitled:

An Act to further amend Section 11 of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by further regulating credit for service with a school district of the first class for members of a first class city pension fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 720, entitled:

An Act to amend Section 1404 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing penalties for authorizing, conducting, or assisting in medical and dental examinations of school children, teachers and employes at a rate in excess of the rate provided by law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 722, entitled:

An Act to reenact and further amend Subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulatng the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the rididng of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for certain exemptions from fees charged for certificates of title and registration of motor vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 772, entitled:

An Act to amend the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1734) entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts" by changing the composition of the Twenty-eighth and Twenty-ninth Congressional Districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 776, entitled:

An Act to further amend Section 2502 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, includidng certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for reimbursements by the Commonwealth to school districts on account of instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and paroachial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 791, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation

of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds by regulating the passing of vehicles at intersections the use of highways by pedestrians and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1126, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by requiring one year of approved hospital internship as an additional requirement for licensure exempting interns from the provisions of the act and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residence training in osteopathis hospitals in Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of county boards of school directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1197, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the secretary to suspend registrations of manufacturer's jobber's and dealer's in the dealer's class further regulating use of dealer's registration plates in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres more or less of land situate in the City of Erie Erie County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including in such definition certain vehicles used for snow removal.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1415, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the receipts making an appropriation and providing for redisposition of fines forfeitures fees and miscellaneous funds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, last Sunday afternoon, while watching television, the "Man of the Week Program" was on the air and the National Director of Civil Defense, who was declared the "man of the week," was interviewed by a series of topnotch newspapermen from around the Country. He was interviewed on the subject of preparedness under the civil defense program. He admitted and it was established that there was one thing wrong with the civil defense program, and that is the apathy of the people. They do not seem to realize just how serious the situation is which confronts us.

The head of the civil defense admitted that the Russians had an atomic bomb supply sufficient to come over to this Country and drop atomic bombs on all strategic points in the Country. That statement brought up the question of air raid shelters. It was admitted that this is the greatest laxity in the program. They discussed ways and means of how air raid shelters could be provided. Of course, when they went into the cost, they decided that the cost was prohibitive.

It was my thought, Mr. President, with all of the new construction going on throughout the United States, both public and private, that it might be well as a starting point to make it mandatory for those who draft plans and specifications to include air raid shelters in new construction, both public and private.

Accordingly, Mr. President, I had a bill drafted which I desire to present at this time and which would require the inclusion of air raid shelters in all plans and specifications for new construction both public and private, as a starting point to make ready for any eventuality which might happen in the present or in the foreseeable future.

BILL INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 781, entitled:

An Act requiring buildings to be provided with air raid shelters and imposing penalties.

Which was committed to the Committee on Military Affairs and Aeronautics.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, July 13, 1953, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:48 o'clock, p. m., Eastern Standard Time, until Monday, July 13, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

MONDAY, July 13, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Our Father, today we come to Thee with the hope and prayer that Thou wilt guide us correctly in these coming weeks, that we may use the best mind and the best efforts we have to bring to an end these problems, and to the end that will be best for all. Out of our common knowledge we cannot do much, but guided by Thy spirit we can do all things well.

We thank Thee for the many blessings which Thou hast given to us, and we know Thou hast many things in store for us in the days to come. May we always be in the proper receptive mood so that Thy spirit may guide us into the better things for all. In the Master's Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Hanna, 918 Brackenridge Avenue, Brackenridge, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Brackenridge, Allegheny County, until the first Monday of January 1956, vice John Arnold, deceased.

JOHN S. FINE.

MEMBERS OF PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Philadelphia County Board of Assistance:

Charles D. Smeltzer, Esq. (Republican), 4907 North Marvine Street, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Louis Glazer, Philadelphia, resigned.

Joseph W. Wood (Republican), 364 Green Lane, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Eugene Y. Allen, Philadelphia, deceased.

Curtis R. Smith (Republican), 1114 Harrison Street, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on July 13, 1953.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. E. E. Furnier, Avalon, Pittsburgh 2.

Mrs. Helen Nappi, 2000 W. Liberty Ave., Pittsburgh 26.
William J. Twigger, 600 Grant St., Pittsburgh 19.

ARMSTRONG COUNTY

Bart C. Favero, Leechburg.

BUCKS COUNTY

John M. Sekerak, Falls Township, Fairless Hills.

DELAWARE COUNTY

Mrs. Doreen R. Dwyer, Lower Chichester Twp., Linwood.

FAYETTE COUNTY

Mrs. Katherine Kupets, Uniontown.

LEHIGH COUNTY

Thomas Franklin Hall, Allentown.

PHILADELPHIA COUNTY

Sol Hyams, 403 Manhattan Bldg., 4th & Walnut Sts., Philadelphia
Miss Teresa M. McHugh, 1421 Chestnut St., Philadelphia

SCHUYLKILL COUNTY

Mrs. Ruth E. Allen, Tamaqua

YORK COUNTY

Mrs. Emma Hilker Jamison, Hanover
Miss Bertha F. Keemer, York Township, York
Mrs. Mary E. Caster, Hanover

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOLFE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 781, entitled:

An Act providing that publication of reports of judicial and legislative proceedings and of governmental bodies shall be privileged subject to certain conditions and extending the privileges to the publication of certain statements by public officials and requiring proof of abuse of the privilege in an action for defamation.

Which was committed to the Committee on Judiciary General.

House Bill No. 1240, entitled:

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal, gas and oil and the underground storage of gas in underground strata by regulating the location, drilling, reconditioning, and abandoning of oil and gas wells through workable coal seams; providing for the protection of said coal and said wells; providing for the regulation of the underground storage of gas in the vicinity of or under coal mines, providing for the filing of information relating to the underground storage of gas and the operation of coal mines; providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines; imposing duties upon gas storage operators, persons operating coal mines, other persons engaged in operations affecting the mining of coal or the underground storage of gas, and the Department of Mines and Courts of Common Pleas, and prescribing methods for the enforcement of such duties; granting certain corporations the right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; providing for hearings and appeals; and providing penalties.

Which was committed to the Committee on State Government.

House Bill No. 1281, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for parks recreation areas and facilities

Which was committed to the Committee on Local Government.

House Bill No. 1359, entitled:

An Act to add clause (i) to section one thousand eight hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administative offices, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the duties and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction.

Which was committed to the Committee on State Government.

SENATE BILL No. 96 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish ponds licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 35, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler, Commonwealth of Pennsylvania, known as the Veterans Administration Hospital, and ceding jurisdiction to the United States.

Senate Bill No. 50, entitled:

An Act to further amend section 306 and to amend subsection A of section 318 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations corporations of the first class within the provisions of this act prescribing the terms and conditions upon which conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes and providing for the powers duties and liabilities of such trustees.

House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing that any number of items, though held for different persons, may be joined by an escheator in one petition in escheat, providing for actions by escheators for depositions, discovery and inspection.

House Bill No. 305, entitled:

An Act to further amend Section 1 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by designating employes of the county plannng commission as county employes.

House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

House Bill No. 381, entitled:

An Act to amend section 911 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by enlarging the authority of boroughs and townships to participate in the widening of State highways.

House Bill No. 382, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township.

House Bill No. 516, entitled:

An Act to further amend Section 704 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by extending the filing period for capital stock franchise, corporate loans and foreign bonus reports.

Senate Bill No. 528, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees thereof; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions, and requiring approval of the Industrial Board in formulation of rules and regulations.

Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships.

House Bill No. 585, entitled:

An Act to further amend subsection (f) of Section 813 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by prohibiting the possession of certan certificates of inspection and approval.

House Bill No. 638, entitled:

An Act to further amend Section 1 of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by leaving a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto, for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini, one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-two, commonly known as title insurance or trust companies," by reducing the time after settlement, within which the tax must be paid.

House Bill No. 639, entitled:

An Act to further amend Section 1 of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by reducing the time after settlement within which the tax must be paid.

House Bill No. 688, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by regulating the transfer and temporary use of registration plates for motor vehicles, trailers and semi-trailers in cases involving husband and wife.

House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches, more or less, of land in Ephrata Township, Lancaster County, Pennsylvania with the approval of the Governor.

House Bill No. 789, entitled:

An Act to add section 54.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," providing that bonds of county officers and employes shall protect against loss of money by robbery and burglary and requiring the county to pay the cost of such bonds.

House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville, Jefferson County, Pennsylvania, with the approval of the Governor.

House Bill No. 812, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (1951-1952 Pamphlet Laws 1417), entitled "An act to provide revenue for State purposes by imposing a property tax, for a limited period of time, on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations, and limited partnerships; excluding certain income; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties," by extending the provisions of the act for a further limited period of time.

House Bill No. 813, entitled:

An Act to further amend section twenty-one of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

House Bill No. 883, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by redefining certain terms; and eliminating and changing certain provisions relating to lighting equipment.

House Bill No. 900, entitled:

An Act to add section 3.1 to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An Act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certificates to be issued upon payment of tax, to be attached to windshields and providing penalties.

House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176) entitled "Anthracite Coal Mining Law," extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement, procedure and penalties and providing for an additional form of appeal.

House Bill No. 908, entitled:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth; providing for the assessment and collection of the same and the settlement and resettlement thereof and appeals therefrom; providing for the duties of prothontaries in connection therewith; prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

House Bill No. 909, entitled:

An Act to provide revenue by imposing tax on retail sales of tangible personal property to consumers; providing for the assessment and collection of the same and the settlement and resettlement thereof and appeals therefrom; imposing duties upon prothonotaries in connection therewith; prescribing penalties; and providing for the use of the proceeds of such tax for public school purposes.

House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1667), entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township,

Berks County, from the Conrad Weiser Memorial Park Association; providing for the control, management, supervision, restoration and improvement thereof by the Department of Forests and Waters; authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof; making an appropriation therefor," by transferring the control, management, supervision, restoration and improvement of said park, and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission

House Bill No. 1086, entitled:

An Act to add section 1-A to the act, approved the fifteenth day of April, one thousand eight hundred seventy-three (P. L. 75), as amended entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies, to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown, Lehigh County, Pennsylvania, and providing for the disposition of the proceeds of the purchase moneys.

House Bill No. 1300, entitled:

An Act to add section five to the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth, showing the location of the same and the geologic formations encountered therein, and to make copies of such records available upon payment of prescribed fees; and providing fees and penalties," by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund, and directing that appropriations to carry out the provisions of the act are made from the General Fund, upon proper budgetary request.

House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres, more or less, of land situate in Collier Township, Allegheny County, Pennsylvania, with the approval of the Governor.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

BILLS INTRODUCED AND REFERRED

Mr WADE read in his place and presented to the Chair Senate Bill No. 782, entitled:

A Joint Resolution proposing an amendment to Section eleven, article three of the Constitution of the Commonwealth of Pennsylvania, by providing that the Legislature may authorize increases in retirement allowances or pensions of employes who are members of a retirement or pension system, now, or hereafter, enacted by the Commonwealth, its political subdivisions, agencies or instrumentalties.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. WATSON read in place and presented to the Chair Senate Bill No. 783, entitled:

An act to further amend Clause 3 of Subsection A of Section 905 of the act, approved the first day of May, one thousand nine hundred thirty-three (P.L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by eliminating indebtedness qualifications in the levying of taxes for townhouses.

Which was committeed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, on February 9 of this year, a number of Senators sponsored a Fair Employment Practice Bill in the Senate and it was assigned No. 95. This bill was identical with the bill offered in the Senate at the 1951 Session, which bill died by a tie vote in committee. Since the introduction of this bill in the Senate, in April of this year, House Bill No. 1165 has been introduced, a Fair Employment Practice Bill, which has been in committee ever since.

Mr President, I understand that House Bill No. 1165, the Fair Employment Practice Bill, has the support of Governor Fine as well as the support of all organizations interested in FEPC. Now, Mr. President, House Bill No. 1165, as of this moment, is still in committee, although I hear reports of its likelihood of coming out.

Mr. President, I am at this time introducing a Senate bill which is identical with House Bill No. 1165. If the House Bill fails to move, then we will ask the committee to which this Senate Bill is assigned to act on it.

Mr. President, I am not going to make a long speech on FEPC, except to say this. I wish to read a short statement from a message from the Governor's Commission on Industrial Race Relations. This short statement was given by former Senator Sordoni, our present Secretary of Commerce, and read as follows:

"FEPC is good business, 'says Sordoni' employee morale gets a big lift, and employee output shows a big boost when all employees are convinced that they will be judged solely on performance and not on what church they worship or who their parents were."

Mr President, if the House fails to act on House Bill No. 1165, then on this side we will ask for action on this present bill that I am introducing.

Mr. President, this bill is sponsored by my colleagues, Senator Barr and Senator Leader.

BILLS INTRODUCED AND REFERREI

Messrs. SILVERT, BARR and LEADER read in place and presented to the Chair Senate Bill No. 784, entitled:

An Act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations and others, as herein defined: creating the Pennsylvania Fair Employment Practice Commission in the Departmen of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent penalities.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 785, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter in to contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates, "by providing that an Authority shall have the power to construct structures to provide for the elimination of grade crossings under certain terms and conditions and subject to approval of the Pennsylvania Public Utility Commission; authorizing agreements for the transfer to the Authority of title to land or to the structures built or constructed and for he leasing thereof to the Utility or political subdivision involved.

Messrs. LEADER and MADIGAN read in place and presented to the Chair Senate Bill No. 786, entitled:

An Act requiring egg and poultry dealers to file bonds to secure payment for eggs and poultry to producers; requiring egg and poultry dealers to secure licenses to furnish certain notices, records and statements; authorizing the Department of Agriculture to adopt rules, regulations and orders to carry out the provisions of this act and conferring powers and duties upon the Department of Agriculture and the Secretary of Agriculture and making an appropriation.

Which was committed to the Committee on Agriculture.

REPORTS FROM COMMITTEE

Mr PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PPRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Education, reported as amended Senate Bill No. 436, entitled:

An Act relating to the practice of Ophthalmic Dispensing; providing for the licensure and registration of Dispensing Opticians; authorizing the issuance of certificates to registered qualified Ophthalmic Dispensers and Ophthalmic Technicians as Ophthalmic Dispensers; creating a State Board of Examiners for Dispensing Opticians to determine the respective qualifications of applicants and defining specific powers and duties thereof; providing for penalties for violations of the provisions thereof; and providing for appeals to Court.

He also, from the Committee on Education, reported as amended House Bill No.1264, entitled:

House Bill No. 1264, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for plans of school building, admission of beginners, enumeration of children, cost of education of blind children, half-day school sessions, district teaching units, and payments by the Commonwealth for rentals, additional units and closed schools, and transportation; requiring issuance of high school certificates and approval of joint schools; providing penalties on school districts; and making corrections and supplying omissions.

PETITIONS AND REMONSTRANCES

Mr. HOLLAND. Mr. President, the Church—and I use it to apply to all denominations, Protestant, Catholic and Jewish—has been working incessantly for a revival of religion to secure greater numbers of individuals to take an active part in bringing a better state of religion, not only to America but to the world in general.

The greatest obstacle to atheistic communism is the faith in God on the part of the people, and the desire on the part of the people to have a freedom to worship as their individual consceince dictates.

Mr. President, the government of the United States has always guaranteed the freedom of worship and, to help promote religion, has over the years exempted from taxation the places of worship, the religious institutions and all religious articles used in religious ceremonies. The passage of the sales and the use tax, by the Republican Members of the General Assembly, broke this tradition that has existed since the formation of our Republic and our Commonwealth.

Mr. President, I have been advised by qualified legal authority that with the passage of these two bills by the Republican Senators last Friday, beginning September 1 of this year, all religious articles used in religious rituals shall be subjected to a one per cent sales tax. To be more explicit, a one per cent sales tax must be paid on the vestments used by the clergy, the altar cloths, the chalice, the crucifix, the statues, the candles, the candle holders, the prayer books, the hymnals and so forth. Once again taxes shall be levied on them by the State as the early Christians paid to the Romans of old, and the persecuted Jews paid to the state for centuries upon centuries.

Mr. President, the Republican Senators and Legislators did not stop at a sales tax, but a use tax was heaped upon the sales tax to make the burden of our churches even greater. Beginning September 1, if any church makes repairs to their building or buildings, they will have to pay a one per cent use tax. The very maintenance of present church properties shall also be taxed at one per cent. The building of new churches shall pay one per cent of the estimated cost. For example, St. Peter's Church, in my District, was burned down and a new edifice is being built. The estimated cost is $400,000. Due to the use tax, the members of this parish shall pay $4,000 more because of the action of the Republican Members of the House and Senate.

Mr. President, the fight between religion and godless Russia is certainly not helped by the action of the Republicans of Pennsylvania. Instead of helping religion, we are adopting the communist method of placing greater obstacles in the way of God's work.

Mr. President, I personnally arose in this Senate last Friday and pointed out this grave injustice, but the Republican Senators showed callous indifference to my plea, and merly laughed off the Democratic attempt to amend the bill to exempt churches and religious institutions.

Mr. President, I am requesting that the Republican Majority of the Senate do reconsider their action and request a recall from the Governor's desk of the legislation just passed, and amend the bill to exempt churches and all religious institutions and religious articles.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, the increasing cost of public education and the great endeavors to equalize public education have lead my colleague, Senator Wagner, and I to introduce this resolution.

SENATE CONCURRENT RESOLUTIONS

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO MAKE A THOROUGH AND COMPREHENSIVE STUDY OF PUBLIC SCHOOLS OF THIS COMMONWEALTH

Messrs. KESSLER and WAGNER offered the following resolution which was twice read and referred to the Committee on Education:

In the Senate, July 13, 1953.

Whereas, Appropriations for public school subsidies have represented an increasingly large portion of total appropriations from the General Fund of the Commonwealth; and

Whereas, The sum of $358,000,000 for "support of public schools" is recommended by the Governor in his budget for the biennium 1953-55; and

Whereas, It is estimated that $630,000,000 will be required for Commonwealth subsidies for "support of public schools" for the biennium 1959-61: and

Whereas, These figures do not include substantial amounts which will be required for appropriations on account of school employes' retirement and school building rentals; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to make a thorough and comprehensive study of the public schools of this Commonwealth, such study to include, but not to be confined to, the following:

1. State and local support of the public schools, with particular emphasis on Commonwealth subsidies for school building rentals and closed schools

2. Administration of the public schools on the local level, with particular emphasis upon the administrative relationships between districts under district superintendents and districts under county superintendents

3. Curricula of both elementary schools and high schools, and the methods and criteria employed in connection with the promotion of pupils; and be it further

Resloved, That the Joint State Government Commission shall, from time to time, report the findings of its continuing study to the General Assembly.

PERMISSION TO ADDRESS SENATE

Mr. KOPRIVER, JR. asked and obtained unanimous consent to address the Senate.

Mr. KOPRIVER, JR. Mr. President, the Monongahela Valley, from the point in Pittsburgh to the West Virginia line, in Greene County, has been full of historical events throughout the history of our Nation and before this great Republic was founded.

Therefore, Mr. President, this resolution really brings forth to the Legislature, the House and the Senate, if concurred in by the House, the idea of having the river road along the river through Allegheny County, the great steel center of the world and the great coal fields of Pennsylvania, be known as the "Monongahela Trail."

URGING THAT THE MONONGAHELA TRAIL BE DEDICATED AS A MEMORIAL HIGHWAY

Mr. KOPRIVER, JR. offered the following resolution which was twice read and referred to the Committee on Highways:

In the Senate, July 13, 1953.

The old Monongahela Trail in western Pennsylvania has been a part of the history and development of our State since the first Indian tribes moulded it out of the wilderness; the Monongahela Trail that travels along the greatest Valley in the World through the heart of America. During the early 18th century, thousands of Americans moved down the Monongahela River by barge to the great Ohio River at the point in Pittsburgh. On this trail is found the point where General Edward Braddock was mortally wounded during the French and Indian War;the headquarters used during the Whiskey Rebellion; the place where the first inland steamboat was built; and the place where the Flagship of the Texas Navy was built. It passes the famous point in Pittsburgh, the site of historic Fort Duquesne. It follows the Monongahela Rivers, which carry more tonnage in water freight each year than either the Panama or Suez Canals. It winds through the greatest industrial area in the world, the steel capital of the world, one of the greatest glass manufacturers and one of the most famous coal mining areas of the world.

The Monongahela Trails pass the trail to the Ten Mile Creek at Rices Landing in Greene County and travels through one of the most beautiful sections of Pennsylvania, where nature's splendor rivals the scenery of any part of the world, and provides a stunning contrast to the developments of man. It is an area where the majestic hills of Pennsylvania display a magnificence that fills the beholder with awe.

It is tragic that thousands of people travel the Monongahela Trail unaware that they are surrounded by history and a tradition of honest hard labor and devotion to God and Country that is surpassed no where in the world; therefore be it

Resolved (if the House of Representatives concur), That the old Monongahela Trail, starting at the great Point on the south side of the Monongahela River across from Fort Duquesne, the great Gateway to the West; thence up through the south side of the City of Pittsburgh. on up the Valley through West Homestead, Homestead,Munhall, Whitaker, West Mifflin, City of Duquesne, Dravosburg, City of Clairton, West Elizabeth, Jefferson, Elrama in Allegheny County; thence up the Valley through New Eagle, City of Monongahela, Donora, North Charleroi, Charleroi, Spears, Allenport, Stockdale, Roscoe, Elko, Coal Center, California, West Brownsville,Vesta, Fredericktown, Millsboro in Washington County; thence up the Valley to Rices Landing in Greene County, on to Crucible, Jacobs Ferry, Nemacoln, Greensboro, Poland; thence to the West Virginia State Line, be dedicated as a memorial highway in commemoration of the many contributions to the progress of America, made in this valley by people of this Valley; and be it further

Resolved, That the Department of Highways shall erect along said highways suitable tablets or markers and shall carry out suitable landscape development to perpetuate this resolution, but shall not replace or change the officially designated route numbers or names or markers thereof of any highway included in the Monongahela Trail.

TIME OF NEXT MEETING

Mr.McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 13, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 20, at three o'clock p. m., E. S. T. and when the Houes of Representatives adjourns this week, it reconvene on Monday, July 20, 1953 at one o'clock p. m.., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Mr. LETZLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr LETZLER read in place and presented to the Chair Senate Bill No. 787, entitled;

An Act creating a Bitiminous Mining Code Commission for the purpose of making a study of existing laws relating to bituminous coal mines, and preparing a modern code, and making an appropriation.

Which was committed to the Committee on Mines and Mining.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of holding a meeting of the Committee on Judiciary General.

Mr. HARE. Mr. President, I second the motion.

AFTER RECESS

The motion was agreed to.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. HARNEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARNEY, from the Committee on Judiciary General, reported as committed House Bill No.581, entitled:

An Act to amend Section 3 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting any such corporation incorporated prior to one thousand eight hundred seventy-four to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1152, as follows:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds in certain cases to report transfers of property to supervisors of townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" are hereby amended to read as follows

An Act

Requiring the recorder of deeds of every county except counties of the second class in certain cases to report transfers of property to the commissioners of townships of the first class and to supervisors of townships of the second class

Section 1 It shall be the duty of the recorder of deeds of every county except counties of the second class upon written request therefor as herein provided to furnish the township supervisors of each township of the second class within the county a record of all transfers of property located within the township when any township imposes a tax on the transfer of real property the commissioners or supervisors shall transmit to the recorder of deeds written request for such record of transfers Such record shall show the name of the grantor and grantee [and] a description of the property as mentioned in the deed The consideration recited in the deed and the value of the federal documentary stamps affixed to the deed Such record shall be sent to the township commissioners or township supervisors as the case may be on or before the second Monday of each month

When a written request has been made for a record of transfers in a township as herein provided the recorder of deeds shall thereafter charge and collect as a fee for the services hereinabove prescribed the sum of twenty-five cents (25c) for each deed recording the conveyance of land in such township

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1152, RECALLED FROM THE GOVERNOR

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1152, recalled from the Governor for the purpose of amendment.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Biass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 32, Printer's No. 389, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 124, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Welfare of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Welfare

State Council for the Blind

Board of Trustees of Eastern State Pnitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Dixmonth State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

Board of Trustees of Larelton State Village

Board of Trustees of Pennhust State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which ae acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the

.....

(descriptive name of political subdivision

.....

.....

in which institution is located)

Section 2 Section 401 of said act as last amended by acts approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 353) and the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1245) is hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions

The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex-officio

The [terms of the members] terms of each member of each such board shall be four years and until [there successors are qualified] his successor is appointed and qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of Scotland School for Veterans' Children

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney State Teachers' College

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harrisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Dixmonth State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

Board of Trustees of Laurelton State Village

Board of Trustees of Pennhurst State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

Boards of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of Scotland School for Veterans' Children

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slipper Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney State Teachers' College

Section 3 Section 2318 of said act as last amended by the acts approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) and the thirty-first day of May one thousand nine hnudred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions

shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview

Board of Trustees at Rockview of the Minimum Security Prison at Rockview

The Pennsylvania Industrial School at Rockview

The Pennsylvania Institution for Delinquent Defectives at Rock View

Board of Trustees of Pennsylvania Institution for Defective Delinquents and upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees of the Pennsylvania Training School for Girls of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn of the Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Dixmont State Hospital of Dixmont State Hospital at Dixmont

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Penhurst State School of State Institution for the Feeble-Minded and Eplipetic of Eastern Pennsylvania at Penhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epilepitcs at Selinsgrove

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elec-

tions" by increasing the minimum compensation payable to election officers in third to eighth class counties.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill on third reading?

Mr. PROPERT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, next to last line of title by inserting after "compensation": "and eliminating maximum compensation"; Amend Title, page 2, last line of Title, by inserting after "counties": "in certain cases"; Amend Sec. 1, (Sec. 412), page 4, lines 5 and 9, by inserting a bracket before "Provided" in line 5, and inserting a bracket after "election" in line 9.

On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that House Bill No. 223, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281, Printer's No. 336, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 482, on third reading, entitled:

An Act to further amend subsecton (j) and the penalty clause of section 620 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making it a crime to commit a fraud regarding any form or application filed with the Department.

be recommitted to the Committee on Highways.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 500, entitled:

An Act to amend the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need funeral service contracts

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill on third reading?

Mr. McPHERSON, JR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend page 2, last line of the title by striking out the word "service" and inserting in lieu thereof the word "services"; Amend Sec. 2, (Sec. 13), page 3, line 17 by striking out the word "pre-need" and inserting in lieu thereof the words "contract with a living person to render"; Amend Sec. 2, (Sec. 13), page 3, line 17 by striking out the word "service" and inserting in lieu thereof the word "services"; Amend Sec. 2, (Sec. 13), page 3, line 18 by striking out the word "contract" and inserting in lieu thereof the words "to such person when needed".

On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. McPHERSON, JR. Mr. President, I ask unanimous consent that House Bill No. 500, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 576, entitled:

An Act defining and providing for the licensing of water well drillers conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Somerset, Senator Hare.

The PRESIDENT. Will the gentleman from Somerset,

Mr. Hare, permit himself to be interrogated?

Mr. HARE. I will, Mr. President.

Mr. DENT. Senator Hare, the question has arisen at our caucus as to the real purpose of this legislation. Would you mind explaining, in a few words, exactly what is behind the reasoning which compels this bill to be before us?

Mr. HARE. Senator Dent, as everyone who is at all delving into the problem understands, the water table is creating a terrific situation, not only in Pennsylvania but all over America. The Department of Forests and Waters thought that this was one means they had of determining the condition of the water table in Pennsylvania, by having reports made on all well drilling by authorized and licensed well drillers.

Mr. DENT. Mr. President, that is what somebody reported in caucus as being the purpose of the bill. However, when I started to read it, I found that the report contains so much more information that it may endanger the ability of an individual who wants to be a well driller.

Mr. President, some well drillers, as you know, are the old-timers who take a forked peach branch and go out and divine where water is supposed to be, and then sink a well into the ground. That is about all they do about it until the water comes up and they case it and pump it, and that is about the end of it. Now, if they must answer all of these questions that you have contained in this bill, I am afraid that the next thing we will find is that a man has to be a college graduate to be a well driller.

Mr. President, I am suspicious of licensing bills, but I am for the purpose of the bill. Is there any way that the bill can be amended to say that the man reports where he drilled the well, how deep he had to go and what type of water? They all know that much.

Mr. HARE. Mr. President, if it will help the gentleman's position, I will be glad to have the bill go over today.

Mr. DENT. Mr. President, let me clarify that. I just do not want to put any more restrictive legislation on the statute books with my vote.

And the question recurring,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 576, Printer's No. 393, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that House Bill No. 612, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of third class A cities.

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that House Bill No. 613, on third reading, entitled:

An Act authorizing cities of the third class A to adopt the city manager plan of government providing for referendums providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials and courts of common pleas

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 626, Printer's No. 130, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments boards and commissions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

REQUEST THAT BILL GO OVER IN ORDER

Mr. YOSKO. Mr. President, I understood from Senator Diehm that he had amendments to offer. May I ask that this bill go over in its order, so that we can study both bills together after the amendments are inserted?

(The Senate was at ease.)

And the question recurring,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Senator Mahany, since this bill is on final passage, will it be possible to present amendments tomorrow?

Mr. MAHANY. It would not be, Mr. President, unless you reconsidered the vote by which it passed third reading.

Mr. YOSKO. Then, may I ask unanimous consent to reconsider the vote by which the bill passed third reading?

Mr. MAHANY. I suggest that you do that tomorrow It can be done then just as well as today.

The PRESIDENT. If the Chair may make a suggestion, the Chair thinks the chances would be as good tomorrow as they are today.

Mr. YOSKO. Mr. President, I just want to say that before the bill reached that stage in your routine at the rostrum, I stood here trying to get your attention to make the request which I did make, that the bill go over.

The PRESIDENT. Well, the Chair could only suggest that in the future the Senator could prevent that situation if he resorted to a war whoop in case the microphone does not operate. The Chair just did not happen to be looking. The Chair wishes to assure the Senator it was not by design.

Mr. YOSKO. Mr. President, I admit that and I realize that. It is for this reason that I asked for the courtesy.

The PRESIDENT. The gentleman from Northampton. Mr. Yosko, of course, is cognizant of the fact that the Chair is helpless. You fifty Senators must tell the Chair what to do.

And the question recurring,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 752. Printer's No. 387, on final passage. go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-one (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the written approval of the comptroller of requisitions for money appropriated to State departments boards or commissions

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DIEHM. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 4, line 4, by inserting after "as": "last"; Amend Sec. 1, page 4, line 4, by inserting after "amended": "in part"; Amend Sec. 1, page 4, lines 4 and 5, by striking out "nineteenth day of June one thousand nine hundred forty-one (P. L. 139)" and inserting in lieu thereof: "twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 593)"; Amend Sec. 1, (Sec. 1501), page 4, line 8, by inserting after "except": "(1)"; Amend Sec. 1, (Sec. 1501), page 4, line 9, by striking out "and except" and inserting in lieu thereof: "(2)"; Amend Sec. 1, (Sec. 1501), page 4, line 9, by inserting after "Fund": "and (3) the Historical Preservation Fund".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. DIEHM. Mr. President, I ask unanimous consent that Senate Bill No. 753, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 816, Printer's No. 518, and

House Bill No. 1267, Printer's No. 258.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL NO. 193 CALLED UP FROM POSTPONED CALENDAR

Mr. Mahany. Mr. President, I call up from the Third Reading Postponed Calendar, Senate Bill No. 193 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 193, as follows:

An Act to amend section 263 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revis-

ing consolidating and changing the laws relating thereto" by authorizing electors in certain cases to present petitions to the court for the submission to the electors of a question of merger of school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 263 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 263 Petitions and Elections for Mergers Returns When Effective Upon the approval of said plans by the State Council of Education it shall be the duty of the county board of school directors to prepare and present petitions for such mergers to the court of common pleas of the county In case such districts or parts of districts are situated in two or more counties the petitions shall be presented to the court of common pleas of the county in which the largest part in area of the land affected is situated which court shall have exclusive jurisdiction over the matter

Whenever the State Council of Education approves said plans at least one hundred days prior to a general or municipal election and the county board of school directors fail to present petitions to the court for submission of the question at such election then any elector of a school district involved may present such petition to the court signed by at least fifteen per cent of the electors in each school district for submission of the question at any subsequent general or municipal election

The petition for any such merger shall request the submission of the question of such merger to the electors of each district affected thereby at the next general or municipal election to be held at least ninety (90) days after the presentation of said petition The question to be submitted to the electors shall be framed by the court and be by it certified to the county commissioners for submission to the electors of each district affected thereby Such submission shall be in accordance with the laws of this Commonwealth relating to the submission of similar questions

If a majority of the electors of each school district voting therein shall be in favor of merger as shown by the returns of the election a certificate of the returns shall be filed with the Superintendent of Public Instruction the prothonotary of the court of common pleas the county board of school directors and the board of school directors of each of said districts The merger shall become effective on the first Monday in July next succeeding the election The merger shall be effective as to only those districts in which a majority of the electors voting on the question shall have assented to the merger If the electors do not assent to the merger revised plans shall be submitted within five years in accordance with the foregoing procedure

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh.		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL NO. 194 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Third Reading Postponed Calendar, Senate Bill No. 194 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 194, as follows

An Act to amend Section 251 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing electors to present petitions for submission to the electorate of a question of the formation of a union school district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 251 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 251 How Formed Any two or more school districts may form a union school district in the following manner Each of the districts desiring to form a union school district shall present a petition to the county commissioners of the county where such district is located signed by at least a majority of the members of the board of school directors of each of said districts or any elector of either district may present a petition to the county commissioners signed by at least twenty-five per centum (25%) of the registered electors of each district The county commissioners shall take no action upon such petitions until they have been approved in writing by the Superintendent of Public Instruction After such petitions have been approved and filed it shall be the duty of the county commissioners to submit to the electors of the respective districts desiring to form a union school district at the next general or municipal election a question whether or not such school districts shall be united into a union school district Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,

Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 14, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 948) entitled "An act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highways routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation" by authorizing the Department of Highways to add two new routes in Cumberland Delaware and Philadelphia counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 27, on second reading, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

be recommitted to the Committee on Highways.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader, Mr. Mahany, permit himself to be interrogated?

Mr. Mahany, I will, Mr. President.

Mr. BARR. Senator Mahany, as I understand it, this bill was passed by the last Session of the Legislature and was vetoed by the Governor. Am I correct in that?

Mr. MAHANY. I do not know that it was, Mr. President. The Senate History would show that. I do not recollect that it was.

Mr. BARR. Senator Mahany, for your information, the sponsor of the bill told that to me today when we were riding in from Pittsburgh.

Mr. President, this simply gets us in line with the Motor Vehicle Code; that is, if you do not like the decision of the Department of Revenue, you can take your appeal to the court in the county in which you reside. This does the same thing as the Financial Responsibility Act, in that you take your action to the court in the county in which you reside.

Do you not think that this would be helpful to the citizens of our Commonwealth, in that they would not have to come all the way from Allegheny County to Dauphin County in order to appeal a decision of the Department of Revenue regarding anything concerning the Financial Responsibility Act?

Mr. MAHANY. Mr. President, I do not want to be in the position of arguing the merits of the bill. As I understand it, a motion to recommit is not debatable.

The PRESIDENT. That is correct.

Mr. BARR. Mr. President, I did not mean to debate the bill; I simply thought I would give some information to the Majority Floor Leader on what happened to the bill two years ago. Before the vote is taken, perhaps some of the Senators on the Majority side would like to help the people in their counties from having to come as far as Harrisburg in order to appeal a decision from the Department of Revenue in anything concerning the Financial Responsibility Act.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 263, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of making payments to certain school districts operating high schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 263, the bill just read, be re-referred to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 310, entitled:

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Court of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 321, entitled:

An Act providing that when a vacancy in any elective office of any political subdivision is filled by appointment the appointing authority shall give notice of the appointment to the county election boards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 336, Printer's No. 31, and

House Bill No. 407, Printer's No. 310.

The President. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 454, entitled:

An Act to amend Section 11.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing provisions relating to contribution payments and providing for certain repayments to contributors in case of withdrawal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 461, Printer's No. 36, on second reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 475, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and precribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed guaranteed by International Bank for Reconstruction and Development.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I Second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by requiring a service charge to be collected on bottled wine purchased by the board

And said bill having been read at length the second time,

Will the Senate agree to the bill on second reading?

Mr. DENT. Mr. President, I have been told that this bill, which is on second reading, Senate Bill No. 478, Printer's No. 384, is to be sent back to committee. In order to be able to make a plea for this bill, I tried to get the attention of the Chair, which I did, prior to the motion being made to send it back, because if the motion

were to send it back, I would not be permitted to give the details of this legislation. It is imperative at this time, since it is the only time that we will probably have a shot at discussing this piece of legislation as to whether or not it ought to go back to committee.

Mr. President, I am also further told that it is a matter of caucus action and, therefore, being a matter of caucus action, why, there will not be much difference in the bill's vote after I am finished.

However, Mr. President, I think the people of Pennsylvania ought to know exactly what was in the minds of the sponsors of this bill. When I first took this bill up, I took it up with the Attorney General in an offhand conversation because, at the time, we were discussing the various means of raising revenues or raising finances for the Commonwealth.

Mr. President, in searching through the law books, I find that many States in the Union have different types of legislation dealing with liquor beverages, wines and beers. I find that certain States, Mr. President, in order to protect themselves in this particular business, have developed sets of laws which seem to work pretty well. I discussed the matter and found that under certain provisions and certain technical arrangements, this type of legislation would be constitutional in Pennsylvania.

Mr. President, I took it up, of course, with the Majority Leader and he and I discussed the possibilities, and then when we met with the Governor, in trying to work out a program for Pennsylvania, this bill was given consideration and the Budget Director came up with the following figures. The Budget Director said that this bill, if passed, would yield about $7,200,000 in revenue to the Commonwealth of Pennsylvania by way of a service charge being charged to wine bottlers.

Now, Mr. President, the misapprehension has been put out by some persons that this bill would be a barrier bill and, therefore, would invite retaliation on the part of other States. That is not true, Mr. President. The reason for this bill coming into existence is one that is based upon the economics of this great Commonwealth of ours. For instance, the bill calls for a fifty cent tax per gallon on wine bottled outside of the Commonwealth, by an outside corporation. It calls for a twenty-five cent tax per gallon on wine bottled in the Commonwealth, by an outside corporation. It calls for a twenty-five cent tax on wine that is bottled outside of the Commonwealth by a corporation that belongs in the Commonwealth, and five cents a gallon on wine bottled in the Commonwealth by an in-State corporation.

The reason behind all of this, Mr. President, is very simple. We provide for all of the wine sellers in the country the finest State stores system in the United States. We provide the facilities, and the employment and all the of the rent-free properties for them to come into Pennsylvania and compete with Pennsylvania corporations. Then we discover, Mr. President, that a great many of the wine bottlers have left Pennsylvania, because they can cheapen the bottling outside of the Commonwealth. They have no charge whatsoever against them and, therefore, they can compete unfairly with Pennsylvania wine bottlers who must bottle their wine under Pennsylvania laws, and must pay the Pennsylvania taxes and have to pay for the upkeep of these Commonwealth stores through the taxes that they pay in the Commonwealth.

Mr. President, the bill is entirely constitutional. All of a sudden we find a unanimous vote against it on the part of the Majority side. I have lived long enough not to live or die by the passage or defeat of any piece of legislation. It does not matter to me one bit whether you chase all of the wine bottlers out of Pennsylvania or not, except that it does destroy, and helps to destroy, the economy of this State. If you allow these outsiders to compete unfairly with our insiders, you are getting to the point where sooner or later you will not have one bottler left within the confines of this Commonwealth, and that day will not be too far distant. You cannot keep adding all kinds of taxes upon your statute books and expect your Pennsylvania corporations, where they can sneak out from in under, to stay here and do business in this Commonwealth.

Mr. President, I, personally, and maybe we as a political party, would be better off on the Democratic side if you did not get the $7,200,000. However, I do believe that it would serve two purposes. I do not think they would pay too much of this $7,200,000, Mr. President. I believe the companies that ran out of Pennsylvania would come back, and I believe the other companies who are bottling now in other States,—right across the border and shipping it right over, and just handling it over the present borders of this Commonwealth—that they then would move into the Commonwealth and give employment to the people who provide the market for the product that they produce. I believe that the time will come, and it will not be too far distant, when this kind of legislation and this type of legislation and this piece of legislation will be passed by the Commonwealth of Pennsylvania.

Mr. President, the State of Ohio is at the present time considering an eighty cent per gallon charge on all wine, because they have a State Store system, bottled outside of the State of Ohio. Michigan has had this enforced for many, many years. Michigan has not been retaliated against. There is no such thing as stopping the sale of wine in the State of Michigan. It has not increased the price of the sale. All it does is, somewhere along the line, equalize the cost of production so that your Pennsylvania bottlers will have an opportunity to bottle on a competitive basis.

Now, Mr. President, if I had been in touch with the Pennsylvania bottlers, whom I do not know, with the exception of one or two of them whom I have known for years, I would have asked them today to present to me in this Senate all the samples of all the wines bottled outside of this Commonwealth, and samples of the wines bottled in the Commonwealth, and I would have shown this Senate of Pennsylvania a very graphic description of what I mean. I would have taken from the shelves the bottles which are now bottled outside of the State, which used to be bottled in Pennsylvania, and I would have shown you what has happened to Pennsylvania.

Mr. President, it is too bad that we cannot offord to do those things, because too many of us do not realize when we are in this Senate how much we can and how much we cannot do to help Pennsylvania. If you really want to help Pennsylvania, you will consider this legislation very seriously. If we had not received the sales tax vote, in all probability this bill would have been voted on and passed.

Mr. President, there has been a great deal of talk about who was interested in killing this bill. I warned the Governor at the conference or the meeting, and if they want to tell the names of the persons who defeated this legislation, I will leave it up to them. I am not in the mood to get to that point where I want to bring in the individuals who are more personally interested than they are patriotically interested in Pennsylvania.

Therefore, Mr. President, as the motion is made, I want it recorded that I, personally, protest the bill being sent back to committee and ask my Democratic colleagues to vote with me.

Mr. MAHANY. Mr President, as the gentleman from Westmoreland, Senator Dent, knows, he did, perhaps, inadvertently, say that this put a tax on out-of-State wines. As he also knows, any tax measure must originate in the House of Representatives and not in the Senate. Therefore, we should look into the fact as to whether or not this is a tax, and the committee, no doubt, will examine that feature of it and also as to whether or not this would invite retaliation by other States.

Mr. President, as the Senator knows, there are a lot of States today who are trying to pass retaliotory legislation against out-of-State manufacturers and industries. I do not believe that the fathers of this Country intended that we should put up tariff barriers around the various States.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL RECOMMITTED

Mr. MAHANY. Therefore, Mr. President, so that this committee may re-examine this legislation in those lights, I move that Senate Bill No. 478, Printer's No. 384, be recommitted to the Committee on Law and Order.

Mr. HARE. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I know that I cannot debate the question after the motion is made. However, I do not believe the impression ought to be put upon the record that this is in any way a revenue measure. It will yield certain finances to the State of Pennsylvania but the question is one of service charges and not revenue It has nothing to do with the bill being introduced in the House.

Mr. PRESIDENT, other States have it; I think there are seven States in the Union that now have it. In so far as it being retaliatory, the retaliatory features of the measure have been answered by the action in the other seven States. This is nothing but a bill that would equalize the cost because of the higher cost of doing business in the Commonwealth of Pennsylvania.

Mr. MAHANY. Mr. President, the Senator, himself, in his main address, referred to it as a tax.

Mr. DENT. Mr. President, I did not. I do not want the record to be read, but I know I did not say "tax." If I did, I was wrong. I have been wrong before, and I will be wrong again. It is not a tax.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

BILL ON SECOND READING

Agreeably to order,

The rules requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 578, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania by providing for exemption of certain disabled veterans from certain taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act authorizing the State Highway and Bridge Authority upon government with the Department of Highways and approvel of the Governor to erect and maintain a bridge over the Ohio River between a point in or near the Borough of Shippingport Beaver County and a point in such county on the opposite side of the Ohio River and to provide the necessary approaches and connections with State highways authorizing the collection of tolls and charges providing for designation of such bridges approaches and connections as State highway routes and their maintenance as such routes thirty years after construction.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOLLAND offered the following amendments:

Amend Senate Bill No. 598, Printer's No. 398, page 2, section 1, line 3, by striking out the words "is hereby authorized to", and adding after the word "Governor", on line 2, the word "shall", and after the word "erect" the word "and".

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. I object to the amendments, Mr President.

And the question recurring,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. HOLLAND. Mr. President, I move that the amendments be adopted.

Mr. SILVERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. I ask for a roll call, Mr. President.

Mr. SILVERT. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. HOLLAND and Mr. SILVERT

and were as follows, viz:

YEAS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

NAYS—32

Berger,	Harney,	McCusker,	Taylor,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	Wood,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING,

AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 599, entitled:

An Act authorizing the State Highway and Bridge Authority upon agreement with the Department of Highways and approval of the Governor to erect construct and maintain a bridge over the Ohio River in or near the Borough of Aliquippa Beaver County and the Borough of Baden Beaver County to connect with State highways and to provide the necessary approaches and connections with such State highways authorizing the collection of tolls and charges providing for designation of such bridges approaches and connections as State Highway routes and their maintenance as such routes thirty years after their construction.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOLLAND offered the following amendments:

Amend Senate Bill No. 599, Printer's No. 399, page 2, section 1, line 3, by striking out the words "is hereby authorized to", and adding after the word "Governor" on line 2, the word "shall", and after the word "erect" the word "and".

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. Mr. President, I object to the amendments on the ground that this would be discretionary with the Department of Highways as to whether or not they construct these bridges.

For instance, Mr. President, if both of these amendments were adopted, they would make it mandatory that the Department of Highways put in both of these bridges. Both bridges are quite near each other, and I think we should leave that up to the discretion of the Highway Department. I am sure that they are going to use their best discretion, and I hope that at least one of these bridges will be constructed.

Mr. HOLLAND. Mr. President, I ask that the Senate accept these amendments because, after all, the bill without the word "shall" does not mean anything. It does not compel the Highway Department to build these bridges One of these bridges must be built. The people of Beaver County have been promised these bridges for years, and I feel that this is one time to demand that the Highway Department and the Administration fulfill the many promises which they have made to the people of Beaver.

Mr. President, I have been requested to put these amendments in by the Local Steel Workers Union of Aliquippa, who have played an important part and have also donated money in connection with some engineering on the highway which is concerned with the building of these bridges.

And the question recurring,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. HOLLAND. Mr. President, I move that the amendments be adopted.

Mr. SILVERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. I ask for a roll call, Mr. President.

Mr. SILVERT. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. HOLLAND and Mr. SILVERT

and were as follows, viz:

YEAS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

NAYS—32

Berger,	Harney,	McCusker,	Taylor,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	Wood,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 626, on second reading, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative depart-

ments boards commissions and officers of the State Government" as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 274) by adding a new paragraph (g) to authorize the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 650, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the investment of certain funds in the treasury of Pennsylvania creating the Investment Council as a departmental administrative board within the Treasury Department defining its powers and duties and repealing a certain act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 651, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships prescribing the rights powers and duties of such Authorities heretofore or thereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for increase in member and change in term of members of Authority boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 661, entitled:

An Act to further amend Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting Commonwealth payments to school districts on account of obligations to the State Public School Building Authority municipality authorities and nonprofit corporations where the districts have not exhausted their borrowing power

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania providing for graded and graduated income taxes and for exemption therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 696, entitled:

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by further regulating credit for service with a school district of the first class for members of a first class city pension fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720, entitled:

An Act to amend Section 1404 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing penalties for authorizing conducting or assisting in medical and dental examinations of school children teachers and employes at a rate in excess of the rate provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 722, entitled:

An Act to reenact and further amend Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for certain exemptions from fees charged for certificates of title and registration of motor vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 768, on second reading, entitled:

House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties

be re-referred to the Committee on Labor and Industry.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 772, entitled:

An Act to amend the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1734) entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts" by changing the composition of the Twenty-eighth and Twenty-ninth Congressional Districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 776, entitled:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursements by the Commonwealth to school districts on account of instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 780, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authoriizng boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 791, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer

and prothonotaries; and prescribing penalties," by further regulating the deposit and amount of security, providing for reciprocity, fixing penalties for certain unlawful acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 854, Printer's No. 217, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 1098, on second reading, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity

be re-referred to the Committee on Constitutional Changes and Federal Relations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1126, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the publis safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated town townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1137, Printer's No. 365, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto," by providing for increasing the membership of the county board of school directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1197, Printer's No. 210, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres more or less of land situate in the City of Erie Erie County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by providing for the transportation, sale and delivery of manure.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees

prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1302, Printer's No. 332,

House Bill No. 1336, Printer's No. 291, and

House Bill No. 1350, Printer's No. 466.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1415, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

And said bill having bee nread at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1420, Printer's No. 383, and

House Bill No. 1421, Printer's No. 384.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Section 1, page 1, line 3, by inserting after the word "runway" the following: "of a commercially licensed airport".

It was agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1424, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1440, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (Penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 461 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 12 of the Calendar, House Bill No. 461, Printer's No. 36, which went over in its order temporarily.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 461, entitled:

An Act to amend section one thousand on hundred sixty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consoldidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page, 3, by inserting after line 5:

"Section 2. Second one thousand one hundred seventy of the said act is hereby amended to read as follows:

"Section 1170. Rights Retained. — Every employe while on sabbatical leave of absence, shall be considered to be in regular full-time daily attendance in the position from which the sabbatical leave was taken, during the period of said leave, for the purpose of determining the employe's length of service and the right to reveive increments, as provided by law.

"Every person on leave of absence shall [retain the right to make contributions as a member of the School Employes' Retirement Fund and continue his or her membership therein] continue his or her membership in the School Employes' Retirement Association. The school district shall pay into the School Employes' Retirement Fund on behalf of each such employe on leave, in addition to the contributions required by law to be made by it, the full amount of the contribution required by law to be paid by the employe as though said employe were actually in regular full-time daily attendance in the position from which the sabbatical leave was taken so that such employe's retirement rights shall be in no way affected by such leave of absence. The amount of the contribution required to be paid by the employe shall be deducted from any compensation payable to the employe while on leave.

"Nothing in this subdivision of this article shall be construed to prevent any person on leave of absence from receiving a grant for further study from any institution of learning."

They were agreed to

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "absence": "and for contributions to the School Employes, Retirement Fund during such leaves of absence."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that House Bill No. 461, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL NO. 110 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Second Reading Postponed Calendar, House Bill No. 110, Printer's No. 20, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requireing bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 110, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President and Members of the Senate, one of the bills which I am about to present proposes to transfer the ten medical-surgical hospitals from the Department of Welfare to the Department of Health. The other bill, a companion bill, sets up a procedure for the administration of these hospitals, as well as a system of collection.

Mr. President, I do not want to take up the time of the Senate in reviewing the need for this legislation. I have informed the Senate from time to time on the manner in which these ten medical-surgical hospitals have been operated and pointed out the inefficiencies involved. I also pointed out from time to time the amount of write offs that were involved in these hospitals, totaling millions of dollars each biennium.

Mr. President, I was in the hope that it would not be necessary to present these bills. It was my opinion, and I had a right to believe, that the Legislature was economy-minded; that the bill which passed the Senate and went to the House, which bill would have merged the Department of Welfare, Department of Public Assistance and the Department of Health, would be passed in the House. However, since that bill died in the House, I believe that the transfer of these ten medical-surgical hospitals from the Department of Welfare to the Department of Health will result in greater efficiency in the operation of these hospitals, as well as saving the taxpayers of this Commonwealth millions of dollars heretofore written off. The transfer of these hospitals will also remove the reasons for the criticisms involved from time to time in the conduct of these hospitals.

Mr. President, I will be happy to appear before the committee to which these bills are referred and give them such facts and figures that I have at my disposal. I do hope that the committee will report these bills from committee, and pass them before we adjourn.

BILLS INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 788, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring from the Department of Welfare to the Department of Health the powers and duties relating to the Ashland State Hospital, the Blossburg State Hospital, the Coaldale State Hospital, the Connellsville State Hospital, the Hazleton State Hospital, the Locust Mountain State Hospital, the Nanticoke State Hospital, the Philipsburg State Hospital and the Scranton State Hospital; transferring the boards of trustees of such State institutions to the Department of Healh; and making an appropriation.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 789, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the financies of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for the collection of moneys due State-owned and operated hospitals.

Which was committed to the Committee on State Government.

Mr. KESSLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER (By Request) read in place and presented to the Chair Senate Bill No. 790, entitled:

An Act to further amend Clause 2 of Section 13 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation, and judicial process; and providing penalties," by changing the maximum limitation upon total State annuities on retirement for superannuation.

Which was committed to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as amended, House Bill No. 902, entitled:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" the districts entitled to by limiting supplemental payments by the Commonwealth on account of pupils in joint schools or in union or merged districts

SENATE CONCURRENT RESOLUTION URGING THE PENNSYLVANIA STATE BOARD OF MEDICAL EDUCATION AND LICENSURE TO PROMULGATE RULES AND REGULATIONS RELATING TO INTERNSHIP AND LICENSURE OF GRADUATES OF FOREIGN MEDICAL SCHOOLS

Mr. DENT. Mr. President. I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and MAHANY offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, July 15, 1953.

Whereas, Before World War II medical doctor diplomas granted by the Italian medical schools were recognized as sufficient to pass the licensure examinations of all the states of the Union, in accordance with an international agreement between the United States of America and Italy, which terminated at the beginning of the hostilities; and

Whereas, After the end of World War II and the resuming of friendly relations between the two countries, now bound by a common alliance in the N.A.T.O., many states of the Union have again recognized medical doctor diplomas of the Italion medical schools, among which are: New York, Connecticut, New Jersey, Illinois and California. Two of the aforementioned states are border states to the Commonwealth of Pennsylvania; and

Whereas, The Commonwealth of Pennsylvania, through the State Board of Medical Education and Licensure, by action taken on December 13, 1951, and officially communicated to the Italian Consul General in Philadelphia on December 17, 1951, ruled to "accept for internship and licensure in Pennsylvania only graduates from foreign medical schools that are recommended for approval by a recognized accrediting agency such as the American Medical Association. The credentials of each applicant, however, must be evaluated and approved by the Board even though the medical school has been recommended for approval by the American Medical Association"; and

Whereas, Italian medical schools cannot be recommended by the American Medical Association for at least two years because officials of the Association will have to make an inspection of said schools and the inspection will not be made prior to next year. A further delay will be occasioned in awaiting final action of the Board of Directors of the American Medical Association, after they study the results of the survey; and

Whereas, Italian universities do admit to the medical schools, American students only after a very careful screening through the local Italian Consulate, an advisory board of New York, named by the Board of Medical Examiners of the State of New York, the Italian Foreign Ministry and finally the academic board of the Italian medical school chosen by the American applicant; and

Whereas, There are, at this moment, about ten young Americans from Pennsylvania studying in medical schools in Italy and, of these, two or three will receive their medical doctor diplomas in 1954; and

Whereas, The actual ruling of the Pennsylvania State Board of Medical Education and Licensure will oblige these new doctors to spend another year away from their familities so as to obtain the licensure in one of the border States of New Jersey or New York, after which they will be automatically licensed also for Pennsylvania. This imposes further financial burdens, hardships and many inconveniences to the future doctors and to their families; and

Whereas, It would be extremely suitable and proper that the Pennsylvania State Board of Medical Education and Licensure should follow the example of New York, New Jersey, Connecticut, Illinois and California, and admit directly the doctors licensed by Italian medical schools to take their licensure in Pennsylvania through direct evaluation and approval by the aforementioned State Board of Medical Education and Licensure; and

Whereas, There seems to be no point in maintaining the rule approved in December 1951, when two of the border states of Pennsylvania have again recognized the Italian medical schools, and in as much as the Italian medical schools have been rebuilt and re-equipped after the war damages largely through the financial and technical assistance of the United States Government through the E.C.A. and the M.S.A.; therefore be it

Resolved (If the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania protests the regulation, relating to acceptance for internship and licensure of graduates of medical schools in foreign countries, made by the Pennsylvania State Board of Medical Education and Licensure on the thirteenth day of December, one thousand nine hundred fifty-one, as being unreasonable; and be it further

Resolved, That the Pennsylvania State Board of Medical Education and Licensure is hereby urged to promulgate rules and regulations relating to internship and licensure of graduates of foreign medical schools in foreign countries after evaluation and approval by the said Board of Medical Education and Licensure.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 436, entitled:

An Act relating to the practice of Ophthalmic Dispensing providing for the licensure and registration of Dispensing Opticians authorizing the issuance of certificates to registered qualified Ophthalmic Dispensers and Ophthalmic Technicians as Ophthalmic Dispensers creating a State Board of Examiners for Dispensing Opticians to determine the respective qualifications of applicants and defining specific powers and duties thereof providing for penalties for violations of the provisions thereof and providing for appeals to Court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 581, entitled:

An Act to amend Section 3 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permiting any such corporation in-

corporated prior to one thousand eight hundred seventy-four, to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 902, entitled:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting the districts entitled to supplemental payments by the Commonwealth on account of pupils in joint schools or in union or merged districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1264, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for plans of school buildings admission of beginners enumeration of children cost of education of blind children half-day school sessions district teaching units and payments by the Commonwealth for additional units and closed schools and transportation requiring issuance of high school certificates and approval of joint schools providing penalties on school districts and making corrections and supplying omissions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, July 14, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:30 o'clock p. m., Eastern Standard Time, until Tuesday, July 14, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY July 13, 1953.

The House met at 1:00 p. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, giver of wisdom, who never failest them that seek Thee, control and enlighten, we beseech Thee, the hearts and minds of the members of the State Assembly. Give them a vision of man's part in Thy plan for the world; grant them patience and insight, faith and obedience to Thy holy will, that being themselves led of Thee, they may by Thy Spirit lead Thy people from strength to strength in the work of Thy Kingdom. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Thursday, July 9, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Thursday, July 9 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. DUNN and DOWNEY.

HOUSE BILL No. 1594.

An Act to add clause (j) to Section 207 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and, in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by requiring the board to investigate and cause the prosecution of unlicensed establishments.

Referred to the Committee on Liquor Control.

By Mr. BAZIN. HOUSE BILL No. 1595.

An Act making persons over seventy years of age ineligible as candidates for the office of judge of a court of record and prohibiting the Secretary of the Commonwealth from accepting nomination petitions of such persons.

Referred to the Committee on Judiciary.

By Mr. HELM. HOUSE BILL No. 1596.

An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinince or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further providing for the publication of notice of intention to adopt tax ordinance or resolutions.

Referred to the Committee on Municipal Corporations.

By Mr. MOORE. HOUSE BILL No. 1597.

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. WORLEY. HOUSE BILL No. 1598.

An Act to amend the definition "game animals" of Section 101 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by removing groundhogs from the category of game.

Referred to the Committee on Game and Forestry.

By Messrs. GEER and SCOTT.

HOUSE BILL No. 1599.

An Act to amend section eight hundred twelve of the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by providing for the appointment of guardians of patients funds and imposing duties and limitations in certain cases.

Referred to the Committee on Welfare.

By Messrs. WOOD, FLACK, WHEELER and WESCOTT.

HOUSE BILL No. 1600.

An Act to amend the last paragraph of subsection A of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by prescribing the effect of certain ordinances and resolutions passed prior to the effective date of this act.

Referred to the Committee on Municipal Corporations.

By Mr. DuBOIS. HOUSE BILL No. 1601.

An Act to amend Clause (10) of Section 925 of the act, approved the tenth day of March, one thousand nine

hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the liability of Commonwealth for payment of compensation to attorneys employed by county boards of school directors.

Referred to the Committee on Education.

By Messrs. WALSH and VAN SANT.

HOUSE BILL No. 1602.

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by providing for the creation of special funds and accumulation of money for replacing and repairing water supply systems.

Referred to the Committee on Cities—Third Class.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 33.

An Act to amend section 2 of the act approved the first day of April one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges with loads of excessive weight and inflicting penalties" by providing for payment of costs of prosecution for imprisonment in default of payments of fines and costs and for the disposition of fines penalties and forfeitures.

Referred to the Committee on Highways.

SENATE BILL No. 34.

An Act authorizing the Delawere River Joint Toll Bridge Commission with approval of the Secretary of Highways to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purposes of the Commission and providing for the disposition of proceeds thereof.

Referred to the Committee on Highways.

SENATE BILL No. 118.

An Act to further amend Section 612 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the weight of tractors on bridges changing penalties.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 342.

An Act to further amend Section 31 of the act approved the twenty-ninth day of March one thousand eight hundred three (P. L. 542) entitled "An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned" by permitting the Commissioners to conduct hearings when complaints are not filed.

Referred to the Committee on State Government.

SENATE BILL No. 463.

An Act to further amend subsection (b) of section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board and imposing duties on county solicitors.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 605.

An Act to amend the title section two and subsection (c) of section four of the act approved the twenty-seventh day of September one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds" by providing for the constuction operation and maintenance of central connection extensions.

Referred to the Committee on Highways.

SENATE BILL No. 392.

An Act to further amend subsection (a) of section 805 of the act approved the first day of May one thousand

nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the opertation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions relating to lighting equipment.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 430.

An Act to add Section 1035 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the depositing of foreign material on highways and providing penalties.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 443.

An Act to amend Section 785 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the payment to the State Public School Building Authority by the State Superintendent of Public Instruction of the State appropriations withheld for nonpayment of rental by school districts.

Referred to the Committee on Education.

SENATE BILL No. 682.

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," by further prescribing the powers of the board, prescribing certain educational requirements, further providing for the issuance of reciprocal certificates and further defining certain unlawful acts.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 683.

An Act authorizing the Department of Property and Supplies to sell and convey 16.96 acres more or less of land situate partly in the Township of Bristol Bucks County and partly in the Borough of Tulleytown Pennsylvania with the approval of the Governor.

Referred to the Committee on State Government.

SENATE BILL No. 704.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing provisions concerning notice to owners of property in regard to assessments.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 708.

An Act to amend section twelve hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the duties and jurisdiction of the Board of Property to cases involving the title of land or interest therein brought by persons who claim an interest in the title to lands occupied or claimed by the Commonwealth.

Referred to the Committee on State Government.

SENATE BILL No. 709.

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth certain real estate adjoining Indiana State Teachers' College in the Borough of Indiana Indiana County Pennsylvania.

Referred to the Committee on State Government.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 35.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler, Commonwealth of Pennsylvania, known as the Veterans Administration Hospital, and ceding jurisdiction to the United States.

HOUSE BILL No. 167.

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depositoryand every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for depositions discovery and inspection

HOUSE BILL No 516.

An Act to further amend Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by extending the filing period for capital stock franchise corporate loans and foreign bonus reports

HOUSE BILL No. 638.

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid

HOUSE BILL No. 639.

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid

HOUSE BILL No. 812.

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time

HOUSE BILL No. 813.

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

HOUSE BILL No. 900.

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties

HOUSE BILL No. 906.

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the

anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal

HOUSE BILL No. 908.

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

HOUSE BILL No. 909.

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

HOUSE BILL No. 1042.

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 10 and 283.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 35.

An Act giving consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one hundred and thirty-four acres of land in the County of Butler Commonwealth of Pennsylvania known as the Veterans Administration Hospital and ceding jurisdiction to the United States

HOUSE BILL No. 167.

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for depositions discovery and inspection

HOUSE BILL No. 305.

An Act to further amend Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by designating employes of the County Planning Commission as county employes

HOUSE BILL No. 317.

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

HOUSE BILL No. 381.

An Act to amend section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways

HOUSE BILL No. 382.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township

HOUSE BILL No. 516.

An Act to further amend Section 704 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and

appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by extending the filing period for capital stock franchise corporate loans and foreign bonus reports

HOUSE BILL No. 585.

An Act to further amend subsection (f) of section 813 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the possession of certain certificates of inspection and approval

HOUSE BILL No. 638.

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid.

HOUSE BILL No. 639.

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid.

HOUSE BILL No. 688.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

HOUSE BILL No. 777.

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata Township Lancaster County Pennsylvania with the approval of the Governor.

HOUSE BILL No. 789.

An Act to add section 54.1 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring certain county officers and employes to be insured against the loss of money by larceny robbery and burglary and requiring the county to pay the cost of such insurance.

HOUSE BILL No. 806.

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor.

HOUSE BILL No. 812.

An Act to reenact the title and to reenact and amend the act approved the twentyfourth day of August one thousand nine hundred fifty-one (1951-1952 P. L. 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by extending the provisions of the act for a further limited period of time.

HOUSE BILL No. 813.

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supple-

ment to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time.

HOUSE BILL No. 883.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment

HOUSE BILL No. 900.

An Act to add section 3.1 to the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certificates to be issued upon payment of tax to be attached to windshields and providing penalties

HOUSE BILL No. 906.

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal

HOUSE BILL No. 908.

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

HOUSE BILL No. 909.

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

HOUSE BILL No. 1042.

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission

HOUSE BILL No. 1086.

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund

HOUSE BILL No. 1298.

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

HOUSE BILL No. 1300.

An Act to add section five of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request

HOUSE BILL No. 1353.

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly

HOUSE BILL No. 1355.

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 117, entitled:

An Act to further amend Section 9 of the act approved

the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by specifying further reasons for the refusal cancellation revocation or suspension of licenses by the Board of Optometrical Education Examination and Licensure and providing for the making adopting and enforcing of rules by the State Board of Optometrical Examiners

The first section was read.

On the question,

Will the House agree to the section?

Mr. MOODY offered the following amendment:

Amend Sec. 1 (Sec. 9) page 3, line 18 by striking out "terms of payment and credit and discounts".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 315, entitled:

An Act to further amend Subsection (a) of Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further limiting and regulating certain prosecutions for summary convictions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act to add Subsection (b.1) to Article XV of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing expanded audio-visual education programs and matching of State and district moneys for payment of the costs thereof

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act to further amend Section 702 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by extending the liability of the Commonwealth of Pennsylvania for the costs of care of any patients convicted of crime undergoing sentence prior to the expiration of the term of such sentence

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WILBUR H. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1057, entitled:

An Act providing for the acquisition of land and for the construction and equipping of a new mental hospital in the Philadelphia area providing for the care maintenance and control of patients imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WILBUR H. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1065, entitled:

An Act to further amend Section 701 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by extending the liability of the Commonwealth of Pennsylvania in certain cases for costs of care of any patient from

and after the date of a court order committing the patient to any institution or to any institution district or to the Department of Welfare of cities of the first class for placement in any institution

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WILBUR H. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1073, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by providing for the certification of returns of tax claims by bureaus in seventh and eighth class counties to county treasurers for collection further regulating in counties of the seventh and eighth class the sale of certain properties turned over to the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of this act prohibiting bureaus in seventh and eighth class counties from leasing certain properties and authorizing such bureaus to execute deeds

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1102, entitled:

An Act to amend Sections 1084 and 1086 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting the appointment of additional teachers and providing for their compensation and payment of traveling expenses for supervisors and teachers

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certain deductions for the calendar year one thousand nine hundred fifty-three and thereafter and providing for disposition of taxes penalties fines and bail forfeitures collected

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1132, entitled:

An Act to amend Section 405 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the powers and duties of local authorities as to children

The first section was read.

On the question,

Will the House agree to the section?

Mr. BOLTON offered the following amendments:

Amend Sec. 1, (Sec. 405), page 3, line 16, by inserting after "foster" "and adoptive."

Amend Sec. 1, (Sec. 405), page 3, lines 17 and 19, by inserting a bracket before "all" in line 17 and inserting a bracket after "law" in line 19.

Amend Sec. 1, (Sec. 405), page 3, line 19, by striking out "in addition or in lieu thereof" and inserting in lieu thereof: "children who are in need of such service because they are handicapped by dependency, inadequate parental care, illegitimate birth or physical or mental disability. The."

Amend Sec. 1, (Sec. 405), page 4, line 1, by inserting after "May" "also."

Amend Sec. 1, (Sec. 405), page 4, line 1, by striking out "welfare services."

Amend Sec. 1, (Sec. 405), page 4, line 2, by inserting after "of" where it appears the first time in said line: "such."

Amend Sec. 1, (Sec. 405), page 4, lines 2, 3, 4, and 5, by striking out "who are in need of such services because they are" in line 2 and all of lines 3, 4, and 5.

Amend Sec. 1, (Sec. 405), page 4, line 6, by striking out "for children."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1236, entitled:

An Act to further amend Section 751 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the amount of expenditures which may be made without bids where work is for maintenance or alterations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1269, entitled:

An Act to amend Section 1203 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for arrests on view by peace officers of any organized police department

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1273, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for private school and institution service in certain instances

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. DAVIS. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1384, entitled:

An Act to amend the title and the act approved the twenty-fifth day of April one thousand nine hundred thirty-five (P. L. 82) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by changing the provisions thereof relating to annual vacations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1400 entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions relating to medical and dental examinations of school children teachers and other employes

The first section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendments:

Amend Sec. 1 (Sec. 1402), page 2, line 10, by striking out the bracket before "during."

Amend Sec. 1 (Sec. 1402), page 2, line 11, by inserting a bracket before "third" and after "ninth" and inserting immediately thereafter "fourth, seventh."

Amend Sec. 1 (Sec. 1402), page 2, line 11, by striking out the bracket after "school."

Amend Sec. 1 (Sec. 1402), page 2, line 13, by striking out the bracket before "at."

Amend Sec. 1 (Sec. 1402), page 2, line 13, by inserting a bracket before and after "two" and inserting immediately thereafter "three."

Amend Sec. 1 (Sec. 1402), page 2, line 13, by striking out "] regularly."

Amend Sec. 1 (Sec. 1402), page 2, line 19, by inserting a bracket before and after "may" and inserting immediately thereafter "shall."

Amend Sec. 1 (Sec. 1402), page 2, line 19, by inserting a bracket before "the."

Amend Sec. 1 (Sec. 1402), page 3, line 1, by inserting a bracket after "period" and inserting immediately thereafter "April and May."

Amend Sec. 1 (Sec. 1402), page 3, lines 4 to 9, inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendments:

Amend Sec. 2, page 3, line 10, by striking out "Section" and inserting in lieu thereof "Sections 1404, 1411 and."

Amend Bill, page 3, by inserting between lines 11 and 12: "Section 1404. Rate and Recording of Examinations.—The rate of medical examination shall not be in excess of [four] six children, teachers or other employes per hour. The rate of dental examinations shall not be in excess of eight children per hour. All examinations shall be recorded in their entirety on standard forms as prescribed or approved by the Department of Health.

Section 1411. Compensation of Examiners; State Reimbursements. —School districts of the first, second and third class, and medical and dental examiners in fourth class school districts shall be paid from Commonwealth funds at the rate of one dollar and [fifty cents ($1.50)] seventy-five cents ($1.75) for each medical examination and [seventy-five cents (75c)] one dollar ($1.00) for each dental examination. School districts of the first, second and third class shall report to the Secretary of Health the number of children of school age, teachers and other employes who have been given a complete medical and dental examination, and shall certify that the funds, receivable under the provisions of this act, have been paid to medical and dental examiners, nurses and dental hygienists, or other assistants for the purposes of the act. On receipt of such report and certification, the Department of Health shall reimburse the school district in the amount expended.

The department shall likewise reimburse school districts of the first, second and third class for expenditures for laboratory or other special examinations authorized hereby, where the facilities of the school district, or local department, or board of health or State Department of Health, were inadequate to furnish the examination required.

Amend Sec. 2 (Sec. 1413), page 4, line 2, by striking out the bracket before "provided."

Amend Sec. 2 (Sec. 1413), page 4, line 3, by inserting a bracket before "third" and after "ninth" and inserting immediately thereafter "fourth, seventh."

Amend Sec. 2 (Sec. 1413), page 4, lines 3 and 4, by striking out "] required by section 1402."

Amend Sec. 2 (Sec. 1413), page 4, lines 5 and 6, by striking out "during the year examinations are given."

They were agreed to

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1408, entitled:

An Act making resolutions of school districts which impose a tax valid notwithstanding failure to advertise intention to adopt such resolutions in newspaper of general circulation within such school districts

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1442, entitled:

An Act to further amend Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing that no fishing shall be permitted on Authority waters unless the privilege is available to all licensed fishermen

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1453, entitled:

An Act to further amend subdivision five of the compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit on portions of said lake the operation of motor boats at limited speeds

The first section was read.

On the question,

Mr. KENT offered the following amendments:

Will the House agree on the section?

Amend Sec. 1, page 2, line 12, by inserting after "aquaplanes" "nor any type of boats equipped with motors having a developed horsepower rating in excess of six unless such motors are equipped with governors as hereafter provided."

Amend Sec. 1, page 2, line 14, by inserting after "boats" "equipped with motors having a developed horsepower rating of six or less or equipped with motors having governors attached in such a manner that the motors will develop no more than six horsepower."

Amend Sec. 1, page 3, lines 4, 5, and 6, by striking out "Provided" in line 4 and all of lines 5 and 6.

They were agreed to.

The section was agreed to as amended.

The Second section was read, and agreed to.

The title was read.

On the question,

Will the House agree to the Title?

Mr. KENT offered the following amendment:

Amend Title, page 2, first two lines at top of page by striking out "motor boats at limited speeds" and inserting in lieu thereof "boats equipped with motors of limited horsepower rating or development".

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1455, entitled:

An Act to further amend Clause (1) of Section 1101 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act re-

lating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by adding the terms coordinators directors and public school psychologists to the definition of professional employe

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1483, entitled:

An Act authorizing acknowledgments and affidavits by persons on active duty with the armed forces of the United States before persons authorized by act of Congress to act as notaries public and validating certain acknowledgements and affidavits

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1489, entitled:

An Act to further amend subsection (a) of Section 823 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellanous receipts making an appropriation and providing for refunds" by further regulating official inspections of motor vehicles trailers and semi-trailers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1490, entitled:

An Act to amend Section 5 of the act aproved the first day of February one thousand eight hundred sixty-six (P. L. 8) entitled "A supplement to an act entitled 'An Act for the better management of the Allegheny county prison' approved the twenty-third day of March Anno Domini one thousand eight hundred and sixty-five" by further regulating the transfer or removal of inmates from jails in Allegheny County and further providing for the transfer of mentally ill inmates to State Mental Hospitals

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1511, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1530, entitled:

An Act to further amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts" in the case of sales in a natural state of mined products

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1535, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicyles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and provding for refunds" by further regulating the issuance of an operator's license

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1537, entitled:

An Act to further amend Subsection (b) of Section 2511.1 of the act approved the tenth day of March nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending re-

vising consolidating and changing the laws relating thereto" by providing for the approval by the Department of Public Instruction of leases heretofore entered into by school districts with Municipality Authorities and nonprofit corporations prescribing the powers of the department as to such leases and the payment of reimbursement moneys to the school district and validating certain leases and approvals heretofore made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1538, entitled:

An Act validating certain contracts entered into by Municipality Authorities for the construction of school projects without receiving separate bids and awarding separate contracts for heating and ventilating work

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1539, entitled:

An Act to amend Subsections A and D of Section 10 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the rights of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by authorizing Authorities to reject any or all bids on contracts validating the actions of Authorities and contracts heretofore awarded after the rejection of all the first set of bids and clarifying the effect of certain contracts heretofore or hereafter made by an Authority in violation of certain provisions of the act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1568, entitled:

An Act to amend Section 5.1 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" by further providing for licensure of non-resident practitioners without further examination

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 40, entitled:

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial asssessor in townhips of the first class providing for the appointment of a chief assessor asistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the Recorder of Deeds and eliminating the triennial assessment" by increasing the compensation of assessors

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of ertain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 53, entitled:

An Act to further amend clause (4) of subsection A of section 1001 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and im-

munities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employer of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 54, Printer's No. 381,

was pased over at the request of Mr. REAGAN.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 59, entitled:

An Act to further amend Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain aged persons hereafter placed in county homes eligible for assistance

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. VAUGHAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 61, entitled:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and asociations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 62, entitled:

An Act to further amend subsection C of Section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments and limitations on loans and discounts of savings banks

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 64, entitled:

An Act to further amend section 1212 and to amend section 1214 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing concerning the powers and limitations on powers of savings banks

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 70, entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts by the school district

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

An Act to reenact subsection A of section 1012 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the Licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations authorized to engage in a banking business with or without fiducary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the powers and limitations on powers of banks and bank and trust companies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 247, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operatio of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement further prescribing the power of the retirement board to provide minimum retirement allowances.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 468, entitled:

An Act to amend Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the area in which school directors may attend certain meetings

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Sec. 1 (Sec. 203), page 3, line 17, by striking out "as then permitted by this act" and inserting in lieu thereof "permitted by the act which this act amends."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Sec. 2 (Sec. 204), page 5, line 5, by striking out "as then permitted by this act" and inserting in lieu thereof "permitted by the act which this act amends."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 544, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to filling of vacancies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring powers and imposing duties on county boards of school directors providing for classes and schools for handicapped and for the payment for the cost of operation thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to amend clause (2) of section 204 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the provisions relating to change of classification of school districts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts and fixing the right and duties of minors the minors' parents or guardians and the depository bank with respect thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON SECOND READING POSTPONED

TIME EXTENDED ON BILLS

Mr. JOHNSON asked and obtained unanimous consent to extend the time five days on House Bill No. 342, Printer's No. 309, on page 28 of today's calendar, bill on second reading postponed.

MEMBER OF FLORIDA LEGISLATURE INTRODUCED

The SPEAKER. The Chair is very happy at this time to present to the House a Member of the Florida Legislature. The Chair understands that the gentleman was born in Fayette County, moved to Florida and was elected a Member of the Legislature. The Chair presents the Honorable Kenneth S. Stimmel.

BILL ON THIRD READING

By unanimous consent the Chair laid before the House, House Bill No. 834, on page 36 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 834, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An Act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for additional assistant county superintendents and supervisors of special education changing the provisions relating to election of county school directors and for supervision over joint school systems when a district having a district superintendent is a party to the jointure and for the election and salary of the district superintendent in such cases and to reenact provisions for the minimum salary of associate superintendents in districts of the third class

On the question,

Will the House agree to the bill on third reading?

Mr. HELM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, last 3 lines of Title, by striking out "additional assistant county" in third from last line of Title and all of last two lines of Title.

Amend Title, page 2, line 1 at top of page, by striking out "to election of county school directors" and inserting in lieu thereof "participation in the county administration by certain districts employing district superintendents."

Amend Sec. 1 (Sec. 921), page 3, line 14, by inserting after "the" "following."

Amend Sec. 1 (Sec. 921), page 3, lines 14, 15 and 16 by striking out "of joint school systems" in line 14, all of line 15 and "merged school districts and" in line 16 and inserting in lieu thereof "[of."

Amend Sec. 1 (Sec. 921), page 3, line 17, by inserting a bracket after "superintendent."

Amend Sec. 1 (Sec. 921), page 3, line 18, by inserting after "convention," "(1) directors of districts under the supervision of the county superintendents (2) directors of union and merged districts of the third class employing

district superintendents, and (3) districts of the third and fourth class employing district superintendents to operate joint school systems."

Amend Bill, page 4, by inserting between lines 16 and 17:

Section 2. Clause (14) of Section 925 of said act, as added by the act, approved the twenty-eighth day of September, one thousand nine hundred fifty-one (P. L. 1546), is hereby amended to read as follows:

Section 925. Powers and Duties. The county board of school directors, in respect to school districts under the supervision of the county superintendent, shall have power and its duty shall be—

* * * * *

(14) To assess each school district [under the jurisdiction of the county board for] entitled under this act to services provided through the office of the county superintendent for such services, and any school district not under the jurisdiction of the county superintendent which has contracted with the county board for services, for such district's proportionate share of the cost of such services. The proportionate share of a district shall be determined by multiplying the cost of the services by a fraction, the numerator of which shall be the number of pupils in average daily membership in the district and the denominator of which shall be the total number of pupils in average daily membership in all districts to which such services will be furnished: Provided, That no school district shall be liable for such assessment unless the county board shall have notified the secretary of the district, in writing, forty (40) days prior to the county convention of school directors, that action will be considered to provide such services.

Section 3. Section 1022 of said act, as amended by the act, approved the twenty-ninth day of May, one thousand nine hundred fifty-one (P. L. 433), is hereby further amended to read as follows:

Section 1022. Time and by Whom Elected; Term of Office. The school directors of all of the school districts that do not have a district superintendent, the school directors of all union and merged districts of the third class that employ district superintendents, and the school directors of all third and fourth class districts employing district superintendents to operate joint school systems, of each county in which a county superintendent is to be elected, shall meet in convention at the county seat of their county, in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county, on the second Tuesday of April, one thousand nine hundred fifty (1950), and on the same day of every fourth year thereafter, and, by a majority vote of those present, elect as herein provided one duly qualified person as county superintendent, to serve for four years from the first Monday of July next following, and fix his annual salary. When there is only one candidate for the office of county superintendent and such candidate within thirty days of the date fixed for holding the convention for the election of the county superintendent dies, withdraws or proves ineligible to be elected, the convention shall be postponed or adjourned to the second Tuesday of June of the same year. If no candidate is elected at such postponed or adjourned convention, the office shall be filled in the manner provided by this act for the filling of vacancies in the office.

Section 4. Section 1027 of said act is hereby amended to read as follows:

Section 1027. List of Directors Entitled to Vote; Method of Voting.—The county superintendent shall furnish to the president of such convention a correct duplicate list of all the school directors in said county in the districts over which said superintendent has supervision, in union and merged districts of the third class that employ district superintendents, and in districts of the third and fourth class employing district superintendents to operate joint school systems. Such list shall be arranged alphabetically by districts. In taking the vote the president or secretary shall call in alphabetical order, by district, the list thus furnished, and each director present shall, when his name is called, rise and announce the name of the candidate for whom he desires to vote. The tellers shall keep correct tally of the vote as cast and report the same to the president, who shall announce the vote to the convention.

Amend Sec. 2, page 4, line 17, by striking out "2" and inserting in lieu thereof: "5."

Amend Sec. 2 (Sec. 1051), page 5, line 5, by inserting after "system": "operated by school districts of the third or fourth class that employ a district superintendent for the joint school system."

Amend Sec. 2 (Sec. 1051), page 5, line 6, by inserting after "district" where it appears the second time: "of the third class."

Amend Sec. 3, page 5, line 10, by striking out "3" and inserting in lieu thereof: "6."

Amend Sec. 3 (Sec. 1052), page 7, line 14, by inserting after "system": "operated by school districts of the third or fourth class that employ a district superintendent for the joint school system."

Amend Sec. 3 (Sec. 1052), page 7, line 15, by inserting after "district" where it appears the second time: "of the third class."

Amend Bill, page 7, by inserting between lines 18 and 19:

Section 7. Section 1057 of said act is hereby amended to read as follows:

Section 1057. Removal for Cause. Upon the written charges and recommendation of the county superintendent, or of the majority of the members of each of three boards of school directors [whose schools are under the jurisdiction] entitled to participate in the election of the county superintendent, assistant county superintendents, or the supervisor of special education of any county may, after a hearing, be removed by the Superintendent of Public Instruction, for the same causes and in like manner as a county superintendent is removed.

Section 8. Subsection (a) of Section 1061 and Section 1062 of said act, as added by the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1150), is hereby amended to read as follows:

Section 1061. Number of Technical Personnel; Qualifications; Appointment.

(a) In addition to the assistant county superintendents and supervisors of special education herein provided for, there may be appointed the number of technical personnel as is authorized by the county convention of school directors, in the same manner as is provided in section one thousand fifty-three of the act to which this act is an amendment for the appointment of assistant county superintendents. No additional technical personnel shall be appointed unless the secretaries of all districts [under the supervision] entitled to participate in the election of the county superintendent shall have been notified in writing, forty (40) days prior to the convention of school directors, that action will be considered to provide such technical personnel.

Section 1062. Salaries; Duties.

(a) Technical personnel shall be paid an annual salary, to be determined by the county convention of school directors. Said salaries shall be paid by the Commonwealth out of the school appropriations apportioned to the school districts [under the supervision] entitled under this act to services provided through the office of the county superintendent, and to the school districts [not under his jurisdiction but] contracting with the county board of school directors for such services, before the same is distributed.

(b) It shall be the duty of technical personnel to assist the county superintendent of schools and the boards of school directors, served by them in such manner as the county superintendent may direct.

Section 9. Section 1066 of said act, as last amended by the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (P. L. 1776), is hereby further amended to read as follows:

Section 1066. Minimum Salaries; Payment. All county superintendents, assistant county superintendents and supervisors of special education shall be entitled to the following minimum annual salaries:

(1) County superintendents in counties having a population of less than forty-five thousand (45,000), eight thousand dollars ($8,000);

(2) County superintendents in counties having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000), nine thousand dollars ($9,000);

(3) County superintendents in counties having a population of one hundred fifty thousand (150,000) or more, ten thousand dollars ($10,000);

(4) Assistant county superintendents in all counties, seven thousand five hundred dollars ($7,500);

(5) County supervisors of special education in all counties, seven thousand dollars ($7,000);

The foregoing salaries shall be paid by the Commonwealth from appropriations made for this purpose or from the appropriations for the public schools, except in the case of a full-time supervisor of special education appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent, either for the school districts under the county superintendent alone or jointly with one or more other school districts, in which case the Commonwealth shall pay a fractional part of the minimum salary equal to the number of teachers under the county superintendent divided by five hundred fifty (550). The balance of such minimum salary shall, if the services of the supervisor of special education so appointed is shared with one or more districts [not under the county superintendent] under contract with the county board of school directors be paid by such district or districts; otherwise, the same shall be apportioned among and be paid by the several districts [under] entitled under this act to services provided through the office of the county superintendent in the manner provided in section one thousand sixty-seven of the act to which this is an amendment.

Section 10. Section 1067 of said act, as amended by the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1814), is hereby further amended to read as follows:

Section 1067. Additional Salaries; Payment. A convention of school directors assembled for the purpose of electing a county superintendent or for the purpose of determining his salary, the salary of any assistant superintendent, or supervisor of special education, may vote any of said employes a salary greater than the amount such person would receive under the foregoing section. All such increases shall be paid in all cases out of the school appropriation apportioned to the school districts [over which the county superintendent has supervision] entitled under this act to services provided through the office of the county superintendent before the same is distributed, except where a full-time supervisor of special education is appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent jointly with one or more districts [not under the county superintendent] under contract with the county board of school directors in which case the district or districts [not under the county superintendent] so contracting shall pay their proportionate parts of such increase. A convention of school directors for the purpose of voting such salaries may be called at any time by the county superintendent. The salaries of county superintendents, assistant county superintendents, and supervisors of special education shall be paid monthly.

Amend Sec. 4, page 7, line 19, by striking out "4" and inserting in lieu thereof "11."

Amend Sec. 4 (Sec. 1071), page 8, lines 9 to 13 by striking out "the directors of" in line 9, all of lines 10, 11 and 12 and "the election of a county superintendent" in line 13.

Amend Sec. 4 (Sec. 1071), page 9, lines 2, 3, and 4, by striking out "such joint school system or district shall" in line 2 and all of lines 3 and 4.

Amend Bill, page 9, by inserting between lines 4 and 5:

Section 12. Section 1073 of said act, as last amended by the acts, approved the seventeenth day of August, one thousand nine hundred fifty-one (P. L. 1281) and the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1572), is hereby reenacted and further amended to read as follows:

Section 1073. Manner of Election; Change of Class of District. (a) The [boards] board of school directors of each district of the second or third class, electing a district superintendent, or in districts of the third class electing an associate superintendent, shall meet in convention at its regular place of meeting, on the second Tuesday of April, one thousand nine hundred fifty (1950), and every four years thereafter, at an hour previously fixed by the board. Where school districts of the third class or of the third and fourth class, operating a joint school system, employ a district superintendent for the joint school system, the boards of school directors of all of the districts shall meet jointly in convention on the second Tuesday of April, one thousand nine hundred fifty-four (1954), and every four years thereafter, at an hour and place previously agreed on. The secretary of each board of school directors shall mail to each member thereof, at least five days beforehand, a notice of the time, place and purpose of such convention. Such convention shall, in the same manner as a county superintendent is elected and certified, elect and certify a properly qualified district superintendent or associate superintendent, to serve for four years from the first Monday of July next following his election.

(b) Whenever the term of office of any district superintendent or associate superintendent expires, he shall continue in office for a further term of four years unless at least sixty (60) days before the date fixed for the election of such a superintendent, (1) four or more members of a board of school directors in a second class district or three or more members of a board of school directors in a third class district or a majority of the boards operating a joint school system employing such officers shall forward, by registered mail, a notice to the district superintendent or associate superintendent that another or other candidates will be considered for the office, or (2) Notice is given to the discontinuance of the office by action of the board of school directors in a third class district.

(c) The term of office or commission of a district superintendent, assistant district superintendent or associate superintendent shall not be shortened by reason of the fact that the district in which he serves shall, because of loss of population, enter a class of districts for which there is no provision for a district superintendent, assistant district superintendent or associate superintendent, and such superintendent, assistant district superintendent or associate superintendent shall continue to serve such district for the term of his office or commission.

Amend Sec. 5, page 9, line 5, by striking out "5" and inserting in lieu thereof: "13."

Amend Bill, page 10, by inserting between lines 13 and 14:

Section 14. Sections 1084 and 1086 of said act, as added by the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1215), are hereby amended to read as follows:

Section 1084. Number of Supervisors. In addition to the assistant county superintendents and supervisors of special education herein provided for, there may be appointed the number of additional supervisors as is authorized by the county convention of school directors, in the same manner as is provided in section one thousand fifty-three of the act to which this act is an amendment for the appointment of assistant county superintendents. No additional supervisors shall be appointed unless the secretaries of all districts [under the supervision] entitled to participate in the election of the county superintendent shall have been notified in writing, forty (40) days prior to the county convention of school directors, that action will be considered to provide such supervisors.

Section 1086. Salaries. Supervisors shall be paid an annual salary, to be determined by the county convention of school directors. Said salaries shall be paid by the

Commonwealth out of the school appropriations apportioned to the school districts [under the supervision] entitled to participate in the election of the county superintendent, and to the school districts [not under his jurisdiction but] contracting with the county board of school directors for such services before the same is distributed.

Section 15. Article X of said act is hereby amended by inserting at the end thereof a new subdivision to read as follows:

(g) Special Districts

Section 1091. Services Provided Through Office of County Superintendent. Joint school systems operated by school districts of the third or fourth class that employ district superintendents for the joint school systems, and union and merged districts of the third class employing district superintendents shall be entitled to all services provided through the office of the county superintendent, subject to all conditions and requirements imposed on school districts under the supervision of the county superintendent.

Amend Sec. 6, page 10, line 14 by striking out "6" and inserting in lieu thereof: "16."

Amend Sec. 7, page 11, lines 13 and 14, by striking out both of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 168, Printer's No. 508 and

House Bill No. 1203, Printer's No. 447

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 96, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Chapter II of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended by adding at the end thereof a new article to read as follows

Chapter II

Fishing Regulations Applying to Inland Waters

Article VI

Farm Fish Ponds

Section 56 Licenses The Pennsylvania Fish Commission shall upon application therefor accompanied by a license fee of one dollar issue a farm fish pond license effective from the first day of April to the thirty-first day of March to the owner or lessee of a farm on which is constructed an artificial pond not exceeding two acres in surface area inhabitated by fish and holding water the source of which is wholly within the limits of such farm or from waters in which there are no game fish such licenses may be renewed each year

The Fish Commission shall fix the terms of each such license and notwithstanding any other provision of this act to the contrary shall include therein permission to release stock and propagate catfish sunfish perch or bass and to take fish of any size without regard to closed seasons or creel limits such license shall specify the manner of taking and the type size and mesh of gear to be used but shall not prohibit the use of a seine

Section 57 Use of Farm Fish Pond Any farm fish pond for which a license is issued shall be used for propagation of catfish sunfish perch or bass and for harvesting catfish sunfish perch or bass for the personal use of the licensee and persons residing or reguarly employed upon the farm No licensee shall permit any other person to fish in such pond and no fish taken from such pond shall be sold or offered for sale or transported from the premises

Section 58 Penalty Any person violating any provisions of this article shall on conviction in the manner provided by chapter fourteen of this act be sentenced to pay a fine of twenty dollars in addition to such penalty for the second offense the farm fish pond license or fishing license or both of any such person may be revoked for one year at the discretion of the commission.

On the question,

Shall the bill pass finally?

Mr. FARABAUGH. Mr. Speaker, this Senate Bill 96 in my opinion is a very unjust bill.

This bill pertains solely to farm ponds which have been constructed by the farmers themselves for their own use, in most cases for fire protection, and they have seen fit to stock some fish in those ponds. I see no reason why anyone should interfere with the use of these ponds in any way they see fit to use them so long as they do not interfere with anyone else.

This is an imposition upon those people who have, at their own expense, constructed those ponds for their own use. There is no reason, in my opinion, why they should be under the jurisdiction of the Fish Commission or anyone else.

Mr. McCULLOUGH. Mr. Speaker, this bill has been kicked around a whole lot and I think it is just about the way we would like to have it. I am a farmer, and there are about 3000 other farm ponds in Pennsylvania, and it is just as near like we would like to have it as we think it can be made.

The Secretary of the Fish Commission likes this bill and I have a letter in my pocket from the Western District Vice President, and he is for it 100 percent. If the gentlemen would just know, there is no creel limit in those seasons for the farmers to fish in their own ponds.

We think it is a good bill, and would like to have a lot of Members of the House to help us pass this bill.

Mr. FILO. Mr. Speaker, I would like to interrogate Mr. McCollough.

The SPEAKER. Will the gentleman from Lawrence permit himself to be interrogated?

Mr. McCULLOUGH. Mr. Speaker, I shall.

Mr. FILO. Mr. Speaker, I would like to know what the purpose of this bill is, since the farmer builds his own pond, stocks his own fish, does all the other work per-

taining to this fish pond, and if you will agree with me, the State Department has asked these farmers to go to the expense of constructing these ponds for water conservation and use around the farm.

At the present time they are trying to regulate what the farmer can do on his own property. It is just the same as telling him not to take the eggs that the chickens are laying in the hen-house.

Now, I would like to have Mr. McCullough explain just what the purpose of the bill is.

Mr. McCULLOUGH. Mr. Speaker, I would like to inform the gentleman that as the law now stands there are creel limits, and I can only fish in my farm pond during the season. If this bill passes, I can go out and catch a mess of fish whenever I like, and if I have a few more than my family that day I can catch a few more for them, and there is no creel limit. We think it is a good bill.

I would like to inform the gentleman that our ponds are not all constructed by the farmers alone. The federal government has assisted materially in building these farm ponds through their conservation program.

Mr. FILO. Mr. Speaker, I may be in error. Does the gentleman imply that the state has contributed something toward building these ponds, these fisheries, and so forth?

Mr McCULLOUGH. The federal government has, through their conserveation program.

Mr. FILO. The United States Government.

Mr. McCULLOUGH. Yes.

Mr. FILO. The state has nothing whatsoever to do with these ponds, is that right?

Mr. McCULLOUGH. Well, they assisted materially in constructing them, but not in paying for them.

Mr. FILO. Is the gentleman saying that they are helping them but not financially or materially.

Mr. McCULLOUGH. They help in supervising.

Mr. FILO. Then why should the State Department impose such a bill on the farmers?

Mr. McCULLOUGH. There is another thing. When I have a farm pond I can not tell what is in it. The Fish Commission does not allow me to fish, but I have to get the Agricultural Extension, and they can come and tell me the condition of my pond. The law will not permit me to fish.

Mr. FILO. I thank the gentleman. I feel that we should oppose this measure.

Mr. STIMMEL. Mr. Speaker, I have no personal interest in this bill. However, I think there are some things that should be pointed out to the membership of this House.

This bill, or a similar bill was passed in this House I believe almost unanimously last Session. Unless my impression is wrong, the farmers themselves are in general agreement on this bill. There may be some who are not, but there are things permitted under this bill such as Mr. McCullough has mentioned, plus common-sense regulation to which few people would object, that makes this bill one which will continue these ponds and do it in an orderly fashion. I might say that the Pennsylvania Federation of Sportsmen wholeheartedly endorse this bill as well as the Fish Commission.

In recent years there has been some disposition to breaking down creel limits, season limits and permit a general open season for fish. This would give, I believe, the farmer reasonable fishing and still keep it within bounds.

Mr. ANDREWS. Mr. Speaker, I rather imagine that the agriculturists most enthusiastic in their opposition to this bill are perhaps not familiar with the present regulations.

Representative McCullough is absolutely right when he says that this bill liberalizes the existing statutes regarding the use of ponds on the farm properties of the Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Scnwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Shoemaker,
Ashton,	Gramlich,	McCullough,	Shotwell,
Auker,	Greenwood,	McDermit,	Smith, W. B.,
Banker,	Guss,	McGee,	Snider,
Barkdoll,	Gutendorf,	McInroy,	Spencer,
Baumunk,	Guthrie,	McWherter,	Stank,
Bazin,	Hall,	Metz,	Stevenson,
Bear,	Hamilton, R. K.,	Mihm,	Stimmel,
Blair,	Hamilton, W. H.,	Mikula,	Stone,
Boies,	Harris,	Miller,	Stoner,
Bolton,	Haudenshield,	Mills,	Strausser,
Bomberger,	Helm,	Monroe,	Sucher,
Boory,	Hersch,	Moody,	Taylor,
Bower,	Hewitt,	Moore,	Thomas,
Breisch,	Hocker,	Moran,	Thompson,
Breth,	Hoggard,	Moscrip,	Toll,
Brown,	Ide,	Muldowney,	Tompkins,
Bucchin,	Jenkins,	Munley,	Toomey,
Buchanan,	Jim,	Murray, J. J.,	VanSant,
Bullen,	Johnson,	Murray, P. G.,	Varallo,
Capano,	Jones, Geo. E.,	Musto,	Varner,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Vaughan,
Cioffi,	Jones, Paul F.,	Needham,	Verona,
Clapper,	Jones, T. H. W.,	Ogilvie,	Wall,
Cochran,	Jump,	Olsen,	Wallace,
Comer,	Kamyk,	Parlante,	Walsh,
Connelly,	Keller,	Peifly,	Wargo,
Conner,	Kent,	Peta,	Waterhouse,
Cooper,	Kerlin,	Petrosky,	Weidner,
Coyle,	Kohl,	Pettigrew,	Welsh,
Curwood,	Kolankiewicz,	Pfaff,	Wescott,
Davis,	Kornick,	Phillips,	Whalley,
Dougherty,	Kratz,	Polaski,	Wheeler,
Down,	Kromer,	Polen,	White,
Downey,	Kubacki,	Poltenstein,	Whitenight,
DuBois,	Lafore,	Price,	Willaredt,
Dunn,	Lederer,	Quisenberry,	Williams,
Erb,	Leisey,	Ragot,	Wilt,
Ewing,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Yeakel,
Ferster,	Light,	Reidenbach,	Yetzer,
Flack,	Limper,	Richter,	Young,
Fleischman,	Lopresti,	Rosen,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Maguire,	Rubin,	Smith, C. C., Speaker
Frost,	Mahan,	Sarraf,	
Geer,	Markley,	Schmidt,	

NAYS—7

Farabaugh,	Lippincott,	Rovansek,	Worley,
Filo,	Lutty,	Seyler,	

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with

amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. BUCHANAN asked and obtained unanimous consent to extend the time five days on House Bill No. 1041, Printer's No. 346, on page 31 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 116, as follows:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 711 Commissioner of Pennsylvania State Police (a) The Commissioner of Pennsylvania State Police shall be the head and executive officer of the Pennsylvania State Police He shall provide for the members of the State Police Force suitable uniforms arms equipment and where it is deemed necessary horses or motor vehicles and make rules and regulations subject to the approval of the Governor prescribing qualifications prerequisite to or retention of membership in the force for the enlistment training discipline and conduct of the members of the force for the selection and promotion of such members on the basis of merit for the filing and hearing of charges against such members and such other rules and regulations as are deemed necessary for the control and regulation of the State Police Force The commissioner shall maintain a training school to be known as the Pennsylvania State Police Training School for the proper instruction of members of the State Police Force which shall be situated at such place or places as the commissioner with the approval of the Governor may determine It shall also be the duty of the commissioner to establish local headquarters in various places so as best to distribute the force through the varions sections of the Commonwealth where they will be most efficient in carrying out the purposes of this or any other act to preserve the peace prevent and detect crime and to police the highways

(b) (1) The only valid causes for termination of services of any enlisted member of the Pennsylvania State Police who shall have served continuously as such member for a period of more than two years shall be any violation of the general orders of the Pennsylvania State Police or the laws of the Commonwealth of the Federal Government or physical or mental disability

Nothing within the foregoing enumeration of causes however shall be interpreted to conflict with the retirement of enlisted members upon proper evidence of disability or the election by enlisted members to retire during the period of voluntary retirement

(2) Before any enlisted member is dismissed or refused reenlistment by the commissioner the commissioner shall furnish such enlisted member with a detailed written statement of the charges upon which his dismissal or refusal of reenlistment is based together with a written notice signed by the commissioner or the proper authority of a time and place where such enlisted member will be given a opportunity to be heard either in person or by counsel or both before a Court Martial Board appointed by the commissioner which board shall consist of three (3) commissioned officers Such hearing shall not be sooner than ten (10) days nor later than thirty (30) days after such written notice At such hearing all testimony offered including that of complainants and their witnesses as well as that of the accused enlisted member and his witnesses shall be recorded by a competent stenographer whose services shall be furnished by the Pennsylvania State Police at its expense Any such hearing may be postponed continued or adjourned by agreement by the person charged and the Court Martial Board with approval of the Commissioner

(3) The Court Martial Board shall have power to issue subpoenas requiring the attendance of witnesses at any hearing and shall do so at the request of the party against whom a complaint is made If any person shall refuse to appear and testify in answer to any subpoena issued by the Board any party interested may petition the court of common pleas of the county wherein the hearing is to be held setting forth the facts which court shall thereupon issue its subpoena commanding such person to appear before the Court Martial Board there to testify as to the matters being inquired into Any person refusing to testify before the Court Martial Board may be held for contempt by the court of common pleas All testimony at any hearing shall be taken under oath and any member of the Court Martial Board shall have power to administer oaths to such witnesses

After fully hearing the charges or complaints and hearing all witnesses produced by the Court Martial Board and the person against whom the charges are pending and after full impartial and unbiased consideration thereof the Court Martial Board shall by a two-thirds vote of all members thereof to be recorded by roll call determine whether or not such charges or complaints have been sustained and whether the evidence substantiates such

charges and complaints and in accordance with such determination shall recommend the discharge demotion or refusal of reenlistment of such enlisted member to the Commissioner However if one member of the Court Martial Board shall dissent from the findings of the other members he may state his reason for disagreement which shall be made a part of the records

Reports of findings of the Court Martial Board shall not be made public before being acted upon by the Commissioner The Court Martial Board shall submit all records of the trial to the Commissioner for review

A written notice of any decision of the Commissioner discharging demoting or refusing the reenlistment of any member shall be sent by registered mail to such enlisted member at his last known address within thirty (30) days after such hearing is actually concluded Provided however That the Commissioner may in his discretion follow or disregard the recommendations of the Court Martial Board

In all cases where the final decision is in favor of the enlisted member the records in the files of the Pennsylvania State Police shall show accordingly

(4) In case the enlisted member concerned considers himself aggrieved by the action of the Commissioner an appeal may be taken by him to the court of common pleas of Dauphin County in accordance with the provisions of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments known as "The Administrative Agency Law"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Hamilton, R. K.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower.	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 170, Printer's No. 451

House Bill No. 466, Printer's No. 405 and

House Bill No. 627, Printer's No. 373

were passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. YOUNG asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 656, entitled

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the establishment by the Department of Property and Supplies of standards for the design construction repair alteration equipping and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein repealing inconsistent legislation directing the Department of Property and Supplies to make a report to the next General Assembly and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. STRAUSSER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 781, as follows:

An Act providing that publication of reports of judicial and legislative proceedings and of governmental bodies shall be privileged subject to certain conditions and extending the privileges to the publication of certain statements by public officials and requiring proof of abuse of the privilege in an action for defamation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Publication of reports of judicial proceeding or proceedings of a legislative or administrative body or an executive officer of the United States a State or territory thereof or a municipal corporation or of a body empowered by law to perform a public duty is privileged although it contains matter which is false and defamatory if it is (a) accurate and complete or a fair abridgement of such proceedings (b) not made solely for the purpose of causing harm to the person defamed An action for defamation cannot be maintained against any person firm or corporation for the publication of such reports unless abuse of the privilege is proved

Section 2 The conditional privilege as herein provided shall extend to the publication of official statements made to representatives of the press by any elected or appointed official of the United States or of this Commonwealth of any of its boards commissions agencies or political subdivisions pertaining to the performance of their duties the transaction of business or relating to investigations in progress or completed by them

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Aukel,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KRATZ asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. BANKER asked and obtained unanimous consent to extend the time five days on Senate Bill No. 489, Printer's No. 290, on page 32 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 864, Printer's No. 454

House Bill No. 880, Printer's No. 420

House Bill No. 960, Printer's No. 406 and

House Bill No. 1218, Printer's No. 408

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259, as follows:

An Act to add subsection (f) to Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for certain commitments by petition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after subsection (e) a new subsection to read as follows

Section 326 Petition of Commitment

* * * * *

(f) Whenever it appears to a judge of any court of competent jurisdiction that a reasonable necessity exists for temporary restraint of a person alleged to be mentally ill to permit his examination by two qualified physicians to determine the propriety of the physicians' certificate

accompanying the petition the court may order the restraint of the person alleged to be mentally ill in any suitable place for a period not to exceed twenty-four hours prior to such examination

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Johnson,	Murray, J. J.,	Toomey,
Bullen,	Jim,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1276, Printer's No. 409 and

House Bill No. 1277, Printer's No. 410

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1290, as follows:

An Act to further amend section 706 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the state government providing for the settlement assesment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the state government and every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every state depository and every debtor or creditor of the Commonwealth" by clarifying the provisions thereof relating to the filing of bonus reports and the payment of bonus by foreign corporations limited partnerships and joint-stock associations and by providing for the filing of excise tax reports and the payment of such tax by foreign corporations limited partnerships and joint-stock associations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 706 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government and every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1077) is hereby further amended to read as follows

Section 706 Bonus and Excise Tax Reports of Foreign Corporations Limited Partnerships and Joint-Stock Associations and Payment of Bonus and Excise Tax (a) Every

corporation limited partnership or joint-stock association chartered or created under the laws of any other state or of the United States or of any foreign country which has had issued to it a certificate of authority to do business by the Department of State prior to the first day of January one thousand nine hundred fifty-three or prior to the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three shall make a bonus report to the Department of Revenue within thirty (30) days after the issuance to it of [a] such certificate of authority [to do business by the Department of State] and annually thereafter at the same time that such corporation limited partnership or joint-stock association is required by law to file with the Department of Revenue a capital stock or franchise tax report Every such corporation limited partnership or joint-stock association at the time of making every report required by this section shall compute and pay to the department the bonus if any then due to the Commonwealth

(b) Every corporation limited partnership or joint-stock association chartered or created under the laws of any other state or of the United States or of any foreign country which shall have issued to it a certificate of authority to do business by the Department of State on or after the first day of January one thousand nine hundred fifty-three or on or after the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three shall make as of the date of issuance to it of such certificate of authority an excise tax report to the Department of Revenue within thirty (30) days after the issuance to it of such certificate of authority or within thirty (30) days from the effective date of this act whichever is later and annually thereafter at the same time that such corporation limited partnership or joint-stock association is required by law to file with the Department of Revenue a capital stock or franchise tax report Every such corporation limited partnership or joint-stock association at the time of making every report required by this section shall compute and pay to the department the excise tax if any then due to the Commonwealth

Section 2 This act shall become effective immediately upon its enactment but the provisions of Section 1 (a) shall apply to calendar or fiscal years during which the Act of May eight one thousand nine hundred one (P. L. 150) as amended shall remain in force and effect and the provisions of Section 1 (b) shall first apply to or during the calendar year one thousand nine hundred fifty-three and to or during any fiscal year beginning in the calendar year one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutelsdorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1306, Printer's No. 458

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1311 as follows:

An Act to further amend Section 731 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any

agency thereof every State depository and every debtor or creditor of the Commonwealth" by permitting public inspection of distributors' monthly liquid fuels tax reports with certain exceptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 731 of th act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the ninth day of July one thousand nine hundred forty-one (P. L. 305) is hereby further amended to read as follows

Section 731 Confidential Information Any information gained by an administrative department board or commission as a result of any returns investigations hearings or verifications required or authorized under the statutes of the Commonwealth imposing taxes or bonus for State purposes or providing for the collection of the same shall be confidential except for official purposes and except that such information may be given to any other state or to the Government of the United States where such state or the United States by law authorizes the furnishing of similar information to the Commonwealth of Pennsylvania and except further that distributors' monthly reports of liquid fuels taxes required by section six of The Liquid Fuels Tax Act exclusive of schedule itemized statements and other supporting evidence annexed thereto shall at all reasonable times be open to the public Any person or agent divulging such confidental information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, P. G.,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jones, Paul F.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Conner,	Keller,	Peifly,	Walsh,
Connelly,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reidenbach,	Wood,
Fenrich,	Light,	Reagan,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1321 as follows:

An Act to amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by transferring to the juvenile courts powers and duties relating to parolees of the Pennsylvania Training School at Morganza

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 29 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of deliquent dependent and

neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 29 Acts Saved from Repeal This act shall not repeal or modify any of the provisions of the following acts

The act approved the twenty-second day of April one thousand eight hundred and fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic Hospital"]

The act approved the seventh day of June one thousand nine hundred and twenty-three (P. L. 677) entitled "An act to provide for the care and treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties"

The act approved the seventh day of April one thousand nine hundred and twenty-five (P. L. 156) entitled "An act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred and three (P. L. 83) entitled 'An act to provide for payment of the expenses of the maintenance and instruction of children committed to Houses of Refuge which are not exclusively under State control jointly by the State and by the counties from which they may be sent and providing a method for determining the amount due and collecting the same from said counties' by changing the time of payment by counties"

Section 2 The Powers and duties relating to control of paroled inmates conferred by law upon the Board of Trustees of the Pennsylvania Training School at Morganza are hereby transferred to and shall hereafter be exercised by the juvenile courts of the several counties of this Commonwealth

Section 3 The act approved the twenty second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its amendments and supplements in so far as they are inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Boles,	Hamilton, W. H.,	Mikula,	Stimmel,
Blair,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, P. G.,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, **Watkins.**

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1322, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by transferring to the juvenile court powers and duties relating to parolees of the Pennsylvania Training School at Morganza

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 503 of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff

officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" is hereby amended to read as follows

Section 503 Acts Saved for Repeal This act shall not repeal or modify any of the provisions of the following acts

[An act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital"]

An act approved the seventh day of June one thousand nine hundred twenty-three (P. L. 677) (Act Number two hundred seventy-six) entitled "An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties"

An act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 156) (Act Number one hundred fifteen) entitled "An act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred and three (P. L. 83) entitled 'An act to provide for the payment of the expenses of the maintenance and instruction of children committed to Houses of Refuge which are not exclusively under State control jointly by the State and by the counties from which they may be sent and providing a method for determining the amount due and collecting the same from said counties' by changing the time of payment by counties"

Section 2 The powers and duties relating to control of paroled inmates over whom the Juvenile Court of Allegheny County has jurisdiction conferred by law upon the Board of Trustees of the Pennsylvania Training School at Morganza are hereby transferred to and shall hereafter be exercised by the Juvenile Court of Allegheny County

Section 3 The act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gunpowder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its amendments and supplements in so far as inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Gramlich,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 1324 as follows:

An Act to further amend Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fishing in streams whether stocked with trout or not during closed season

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the third day of August one thousand nine hundred fifty-one (P. L. 1148) is hereby further amended to read as follows

Section 20 Closed Seasons [There] Except as hereinafter provided there shall be no fishing between the fourteenth day of March and five o'clock antemeridian on the fifteenth day of April in any year [except] in any section of any stream which has been stocked with trout by the board within the preceding year Fishing during the closed season shall be permitted annually by the board in waters to be designated by it A list of the streams or waters so opened to fishing and the type of fishing to be permitted shall be made public by the board in such manner as it shall see fit Fishing shall be permitted also in rivers ponds and lakes not stocked with trout and in streams emptying into Lake Erie within the confines of Pennsylvania from the mouth of the stream in a southerly direction to State Highway Route No. 5 a distance of approximately one-half mile For the purpose of this paragraph a person shall be deemed to be fishing if he shall have in his possession any fishing line rod or other device which can be used for fishing while on or in any water or on the banks of any

water where fishing is prohibited Ponds and lakes in which fishing is prohibited shall be posted by the commission Any person violating the provisions of this paragraph shall upon conviction be sentenced to pay for the first offense a fine of five dollars ($5) and costs and for a second or subsequent offense a fine of twenty dollars ($20) and costs

The following closed seasons are hereby established for the fish as hereinafter enumerated

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout beginning on the first day of August to five o'clock antemeridian on the fifteenth day of April next following

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small mouth and large mouth bass white bass crappie strawberry or calico bass pike perch otherwise called wall-eyed pike or Susquehanna salmon pickerel muskellunge western and northern pike from the first day of December to the thirtieth day of June next following both dates inclusive Provided however That pickerel and perch may be caught and taken not exceeding the daily creel limits fixed by this act during the months of December and January but only when tip-ups are employed while fishing through holes in the ice

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOODLING. Mr. Speaker, this bill proposes to amend an Act that was first passed in 1949, I believe. For a long time prior to that sportsmen and conservationists throughout this entire state wanted a similar bill, but for some reason or other Members of this House hesitated to sponsor such a bill. Finally, in 1949 the bill was sponsored by two Members of this House and almost unanimously, as I remember, passed the Senate and was signed into law by the Governor.

Since that time it has been working most satisfactorily and has been approved by practically every sportsman in Pennsylvania. There were two main reasons for the bill at that time. First and foremost, it was strictly introduced as a conservation measure. You cannot take fish from the streams and hope to have them in the years to come.

It was aimed at one particular species of fish at that time, and they always confused the bill more or less. The opponents of the bill said it was strictly a trout fisherman's bill, which it definitely was not. It was the thought of the sponsors and those who advocated this bill that other fish should also be protected during this period.

This bill, if it were passed in its present form, would place a tremendous burden on the Pennsylvania Fish Commission. It would require the Fish Commission to publish a list of all the streams in the Commonwealth of Pennsylvania which would be open to fishing at this particular time. It would also cause tremendous enforcement problems. At the present time during this thirty day closed period if a fish warden sees any man along any stream wth any fishing equipment, he knows he is violating the law.

My heart bleeds for the poor fisherman. At the present time he can fish only twenty-four hours a day, 335 days in the year. If a fisherman cannot get his two dollars worth in that period of time, I submit to you Members of this House that he cannot get it in an additional thirty days.

In recent years there has been some talk about it in other states, and they have done it in other states— they have liberalized their fishing laws. They are finding out now that they made a grave mistake in doing that. One of our neighboring states liberalized its laws considerably just a few years ago. Today I understand they are very sorry they took that step, and they are planning to go back to their former method of catching fish.

I would like permission of the House to read what was done in connection with this bill in 1949. I believe the gentleman who made the remarks at that time is in this House at the present time. I hope he is, because he and I have discussed this bill on several occasions. When the gentleman made these remarks four years ago he was very, very much in favor of the bill. In speaking with him recently I understand he wants to now vote for the bill which proposes to amend the 1949 Act. It will not take very long and I am not going to read his entire remarks, but I would just like to read a few remarks that are pertinent to this question.

> Mr. Speaker, this is a very happy moment for me. I have waited for about ten years to say what I am about to say.
>
> I will take you back a few years first, however, back to 1873 when the Fish Commission was first formed in this state by the Legislature. About twenty years later the Game Commission was formed in 1895—two very important legislative years.
>
> On these two years of this Legislature is based the beginning of Pennsylvania's hunting and fishing prestige. (And this is the part to which I want the Members of this House to pay strict attention) We have become the first state in the Union, bar none in the United States, according to the figures of the Department of the Interior. There are more hunters and fishermen in the state of Pennsylvania than in any other state in the Union.
>
> However, we ran into a problem as time went on. At first there was plenty of game and fish and the regulations were liberal. We used the game and we have used the fish and then we abused the game and abused the fish. Finally, for the past fifteen years, we have reached the end of the golden age of hunting and fishing in this state, an age, I would say that extended over approximately from 1910 to 1935, but since game and fish were covered by natural laws, we did nothing or practically nothing over the years to obey or assist nature in maintaining a supply of game and fish adequate enough to provide suitable sport for a growing army of sportsmen.
>
> However, Mr. Speaker, it remained for this Legislature, and I am serious in this, this Legislature has the honor, and the House of Representatives can take credit for having already passed in the House the greatest and most important game and fish legislation in fifty years.

Then the speaker went on to elaborate on the bills that we passed and one of the bills on which he elaborated was the one which we now propose to amend and pass. I am going to skip part of his speech there and conclude with what he concluded.

> Mr. Speaker, I say that this is important for another reason, that is that this class Legislation, all these bills passed this House almost unanimously. There were only a few votes against a few measures, and I think this shows that the Members here appreciated the importance of what the program was designed to do.
>
> I want to say finally that the state of Pennsylvania, in being the number one state in the Union in hunting and fishing, if this program is properly carried out by the Game Commission, the state will still maintain its position as the foremost state in the Union.
>
> Gentlemen, I as one of you do wish certainly from my heart to congratulate you because I feel that this question of hunting and fishing should go beyond party lines, and being thoroughly acquainted with

the hunting and fishing picture for well over ten years, I believe that we do realize the importance of this program will be evidence when you are old and gray and talking to your grandchildren, you can point to the year 1949, when this legislation was before the House in regard to hunting and fishing and say: "Sonny, I helped to do that!"

I should now like to ask what we are going to say to our grandchildren if we continue to bleed our streams by continually liberalizing our fishing laws. I think this is a bad bill and should be defeated.

Mr. BRETH. Mr. Speaker, I would like to add a few remarks to what my friend George Goodling, the gentleman from York said, perhaps not in the same vein as his but if there is going to be a roll call on the vote— are the Committees still out?

The SPEAKER. The Chair understands, for the information of the House, that the Committees are still out.

Mr. BRETH. Will it be all right to pass this over temporarily?

The SPEAKER. Without objections the chair can pass the bill over.

Mr. BRETH. I would appreciate it.

Mr. BRETH. Mr. Speaker, well if it is all right with the sponsor we will debate the bill now. I understand it is all right with Mr. McCANN.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I listened with a great deal of interest to the remarks of the gentleman from York. He is correct in practically everything he has said with a few minor amendments.

This bill is an amendment to a bill that we did pass in 1949 which closed the trout streams in the state, or the streams stocked with trout, for a month before the trout season opened.

However, there was considerable confusion all over the state and a good number of fishermen were arrested under the provisions of the bill because they did not understand which waters were open and which waters were closed.

The bill as originally written stated that all waters were closed except rivers, lakes and ponds, which meant streams that were not stocked with trout and yet were known as creeks or runs or anything except rivers, if a fisherman fished them, he was liable to arrest. In a great many cases he was arrested and paid $20 fine.

I want to remind the gentleman from York that before the Session was over in 1951, we changed the penalty provisions of the original bill so that for the first offense instead of being fined $20, the fisherman was fined only $5 because there was great room for error, mistake and misjudgement by fishermen who had no intention of fishing a closed stream.

All this bill does, Mr. Speaker, is to give the trout in trout streams the same protection they had under the original bill. All it does in the last analysis is to give the Fish Commission the right to print a list of streams by counties, listing the streams in which you can fish and those that you cannot fish during that closed period.

I think this bill is a very good bill. I want to say, too, that I was one of the proponents of it when it was originally before this House in 1949, and my understanding of the bill and my interpretation of it and my idea in backing the bill was not to close for 30 days all fishing, sucker fishing and other kinds of fishing, bass fishing, but only to protect the trout streams that were stocked with trout from outlaws who had made it a habit, as soon as they were stocked with trout, of fishing them presumably for suckers but taking trout out of them before the season opened.

My understanding of this bill—and it has been well discussed; it was released by Committee and discussed in Committee—is that it does not do any harm to the original idea behind the original bill. I think it is a good bill, and I think we should pass it.

Mr. GOODLING. Mr. Speaker, the gentleman from Clearfield is trying to confuse this House just the same as it was confused back in 1949.

It was not the intention of this Legislature in 1949 to close trout streams. It was the intention of this Legislature—and it stated that specifically in the bill—that all streams with the exception of lakes, rivers and ponds not stocked with trout were closed under this bill.

I insisted that it was a good bill then and I insist that it is a good bill today. I want to reiterate what I said before. We are going to continue to fish 365 days a year, as we can do under this proposal and sooner or later we are not going to have any fish to take from our waters.

Mr. McCANN. Mr. Speaker, regarding this bill, I would like to clarify one remark that the gentleman preceding me stated in his first speech. This bill, I believe he stated, was opposed by the Sportsmen's Organizations.

I would like to state to the gentleman and to the Members of this House that this bill, the present bill, came from a resolution which the Pennsylvania Federation of Sportsmen's Organizations in convention here in Harrisburg approved unanimously.

As you know in the Commonwealth of Pennsylvania there are eight particular counties that are classified as warm water or warm stream counties, of which my county is one.

We do not argue about the closing of the game or fish season nor the trout streams, and this bill does not have anything to do with those streams. They will remain closed, because in the bill it says that a list shall be furnished by the Fish Commission as to the streams that will be permitted to be fished or be opened for the period designated.

I would like to say also to the opponents of this bill that I do not believe you are weakening or that you are hurting the stream program or the fish program of Pennsylvania.

I would also like to remind the gentleman that in some of the areas in Canada and other states they have found that if they remove almost all of the inbred or stunted fish and then restock the stream in its proper proportion, they will have better fishing. This will only permit fishing in the streams designated by the Fish Commission.

The Fish Commission has no objection, nor have they stated when they were in Committee that they had any objection to this bill. They were satisfied with it in every respect.

Mr. Buehler, who is in charge of the fish hatcheries, believes that there will be no trouble in the policing of this bill.

I would like to know where the objection rises to the statements that have been made on the floor. This bill has been cleared with all proper responsible people. They

believe that it is a good bill, a bill that is a benefit to the fishermen, to those people from small areas that are not able to go for game fish and who do not have game fish in their territory.

I sincerely urge the Members of this House to go down the line and support this type of legislation as the type that the fishermen of Pennsylvania have approved and want enacted into law.

Mr. GLEASON. Mr. Speaker, I would like to make a few remarks on this bill. The particular complaint I have with the present law, is the bait fisherman at the beginning of the trout season.

Under the present law that you can only fish in rivers, lakes and ponds, it also restricts the taking of any kind of minnows from streams that are not stocked with trout. The bait fishermen have to go out before March 14 or by March 14, in order to have their minnows for the 15th of April when the trout season opens.

I know plenty of fellows who go out and catch their minnows, and I think they are doing more damage by catching their minnows early because a lot of them die, and maybe they will have a few of them left when the trout season opens. They are taking more of the bait fish out of the little streams that are not stocked with trout than they would ordinarily take out.

I think this is a good bill. It is still protecting the trout streams in Pennsylvania. It is going to allow the bait fisherman to go out any time in the early part of April and get this bait out of streams that never have trout in and never will. But they have lots of red fins and shiners and even some of the streams have suckers so that people can go out and fish during the latter part of March and the first part of April.

I would like you to go along and vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Adam,	Gleason,	McCann,	Scott,
Alexander,	Glick,	McCormack,	Seyler,
Andrews,	Gramlich,	McDermit,	Shoemaker,
Ashton,	Greenwood,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hamilton, R. K.,	Mikula,	Spencer,
Baumunk,	Hamilton, W. H.,	Miller,	Stank,
Bear,	Haudenshield,	Mills,	Stevenson,
Blair,	Helm,	Monroe,	Stimmel,
Bolton,	Hersch,	Moody,	Stone,
Boory,	Hewitt,	Moore,	Strausser,
Breisch,	Ide,	Moran,	Sucher,
Breth,	Jenkins,	Moscrip,	Taylor,
Bucchin,	Jim,	Muldowney,	Thomas,
Buchanan,	Johnson,	Munley,	Toll,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Olsen,	Verona,
Cochran,	Jump,	Parlante,	Wall,
Comer,	Kerlin,	Peta,	Wallace,
Connelly,	Kohl,	Petrosky,	Walsh
Coyle,	Kolankiewicz,	Pfaff,	Wargo,
Davis,	Kratz,	Polaski,	Waterhouse,
Down,	Kubacki,	Polen,	Weidner,
Dougherty,	Lafore,	Poltenstein,	Welsh,
Downey,	Lederer,	Price,	Wescott,
Dunn,	Leven,	Quisenberry,	Wheeler,
Ewing,	Limper,	Ragot,	White,
Farabaugh,	Lippincott,	Readinger,	Whitenight,
Fenrich,	Lopresti,	Reidenbach,	Willaredt,
Filo,	Lovett,	Richter,	Williams,
Flack,	Lutty,	Rovansek,	Worley,
Fleischman,	Maguire,	Sarraf,	Yetzer,
Flynn,	Mahan,	Schmidt,	Zeitz,
Frost,	Markley,	Schuster,	Ziegler,
Gibson,	Maxwell,		

NAYS—21

Auker,	Ferster,	Leisey,	Tompkins,
Bomberger,	Goodling,	Murray, P. G.,	Wood,
Bower,	Guss,	Naugle,	Yeakel,
Brown,	Hall,	Royer,	Smith, C. C., Speaker
DuBois,	Hocker,	Rubin,	
Erb,	Keller,		

NOT VOTING—40

Amarando,	Harris,	McWherter,	Schwartz,
Bazin,	Hoggard,	Metz,	Shotwell,
Boles,	Kamyk,	Mihm,	Stoner,
Cioffi,	Kent,	Ogilvie,	Thompson,
Conner,	Kornick,	Peifly,	Toomey,
Cooper,	Kromer,	Pettigrew,	Varner,
Curwood,	Leonard,	Phillips,	Whalley,
Floyd,	Light,	Reagan,	Wilt,
Geer,	Mathews,	Rosen,	Young,
Gutendorf,	McCullough,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1347, Printer's No. 381,

House Bill No. 1348, Printer's No. 441, and

House Bill No. 1349, Printer's No. 336,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1363, as follows:

An Act to amend sections one and three of the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarters sessions" by limiting jurisdiction over juveniles in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and three of the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarter sessions" are hereby amended to read as follows

Section 1 Any judge of a court of common pleas within this Commonwealth shall have jurisdiction at any time to issue a writ of habeas corpus upon application by or on behalf of any person (hereafter called the relator) alleged to be unlawfully imprisoned or detained in any penitentiary prison reformatory house of detention mental institution or other place (a) within the judge's judicial district or (b) outside of his judicial district if the relator was committed by action of any court of the judge's judicial

district Provided That when relator's detention or confinement is by virtue of sentence after conviction for a criminal offense or commitment by any court exercising the powers of a Juvenile Court only a judge of the judicial district of conviction and sentencing or commitment shall exercise such jurisdiction

Section 3 An application for a writ of habeas corpus shall be by petition duly verified by the relator or by someone on his behalf In all instances where relator is undergoing detention or confinement as the result of conviction and sentence upon a criminal charge or commitment as a juvenile relator shall present his petition to a judge of the judicial district wherein he was convicted and sentenced or committed in all other instances he may present his petition to any judge having jurisdiction

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1393, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the appointment of a deputy city treasurer and prescribing his powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XIV of the act aproved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended by adding at the end thereof two new sections to read as follows

Section 1409 Apointment of Deputy City Treasurer Powers Responsibility The city treasurer may appoint a deputy city treasurer who in case of the sickness absence or inability of such city treasurer to act shall have the same powers and shall perform the same duties as are imposed by law upon the city treasurer In the case of such appointment the said city treasurer shall be responsible and liable for the acts of such deputy

Section 1410 Appointment of Temporary Deputy by Council Bond Compensation In case of the sickness absence or inability of a city treasurer and when no deputy shall have been appointed by him the council of such city may appoint a deputy city treasurer to serve during the sickness absence or inability of such city treasurer or until such city treasurer shall appoint a deputy as aforesaid who shall furnish such bond and receive such compensation as shall be fixed by council

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,

Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Readinger,	Williams,
Farabaugh,	Leonard,	Reagan,	Wilt,
Fenrich,	Leven,	Reidenbach,	Wood,
Ferster,	Light,	Richter,	Worley,
Filo,	Limper,	Rosen,	Yeakel,
Flack,	Lippincott,	Rovansek,	Yetzer,
Fleischman,	Lopresti,	Royer,	Young,
Floyd,	Lovett,	Rubin,	Zeltz,
Flynn,	Lutty,	Sarraf,	Ziegler,
Frost,	Maguire,	Schmidt,	Smith, C. C., Speaker
Geer.	Mahan.		
	Markley,		

NAYS—2

DuBois,	Ragot,

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1405, Printer's No. 412, and

House Bill No. 1446, Printer's No. 415,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1480, as follows:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person undergoing imprisonment to participate in any riot rout assembly or affray and fixing the penalty therefor

The General Assembly of the Commonwealth of Pennsylvaia hereby enacts as follows

Section 1 Section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 401 Whoever participates in any riot rout unlawful assembly or affray is guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment not exceeding three (3) years which imprisonment may be at separate or solitary confinement at labor or to pay a fine not exceeding ten thousand dollars ($10,000) or both

Whoever participates in any riot rout unlawful assembly or affray while undergoing imprisonment in any penal or correctional institution located in this Commonwealth is guilty of a felony and upon conviction thereof shall be sentenced to undergo imprisonment by separate and solitary confinement at labor not exceeding ten (10) years or to pay a fine not exceeding ten thousand dollars ($10,000) or both

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Geer,	Maguire,	Sarraf,
Alexander,	Gibson,	Mahan,	Schuster,
Amarando,	Gleason,	Markley,	Schwartz,
Andrews,	Glick,	Mathews,	Scott,
Ashton,	Goodling,	McCann,	Shoemaker,
Auker,	Gramlich,	McCormack,	Shotwell,
Banker,	Greenwood,	McCullough,	Smith, W. B.,
Barkdoll,	Guss,	McDermit,	Snider,
Baumunk,	Gutendorf,	McGee,	Spencer,
Bazin,	Guthrie,	McInroy,	Stank,
Bear,	Hall,	McWherter,	Stevenson,
Blair,	Hamilton, R. K.,	Metz,	Stimmel,
Boles,	Hamilton, W. H.,	Mihm,	Stone,
Bolton,	Harris,	Mikula,	Stoner,
Bomberger,	Haudenshield,	Miller,	Strausser,
Boory,	Helm,	Mills,	Sucher,
Bower,	Hersch,	Monroe,	Taylor,
Breisch,	Hewitt,	Moody,	Thomas,
Breth,	Hocker,	Moore,	Thompson,
Brown,	Hoggard,	Moran,	Toll,
Buchanan.	Ide,	Moscrip,	Tompkins,
Bullen,	Jenkins,	Muldowney,	Toomey,
Capano,	Jim,	Munley,	VanSant,
Cianfrani,	Johnson,	Murray, J. J.,	Varallo,
Cioffi,	Jones, Geo. E.,	Murray, P. G.,	Varner,
Clapper,	Jones, Gran'le E.	Musto,	Vaughan,
Cochran,	Jones, Paul F.,	Naugle,	Verona,
Comer,	Jones, T. H. W.,	Needham,	Wall,
Connelly,	Jump,	Ogilvie,	Walsh
Conner,	Kamyk,	Olsen,	Wargo,
Cooper,	Keller,	Peifly,	Waterhouse,
Coyle,	Kent,	Parlante,	Weidner,
Curwood,	Kerlin,	Peta,	Welsh,
Davis,	Kohl,	Petrosky,	Wescott,
Dougherty,	Kolankiewicz,	Pettigrew,	Whalley,
Down,	Kornick,	Pfaff,	Wheeler,
Downey,	Kratz,	Phillips,	White,
DuBois,	Kromer,	Polaski,	Whitenight,
Dunn,	Kubacki,	Polen,	Willaredt,
Erb,	Lafore,	Poltenstein,	Williams,
Ewing,	Lederer,	Price,	Wilt,
Farabaugh,	Leisey,	Quisenberry,	Wood,
Fenrich,	Leonard,	Ragot,	Worley,
Ferster,	Leven,	Readinger,	Yeakel,
Filo,	Light,	Reagan,	Yetzer,
Flack,	Limper,	Reidenbach,	Young,
Fleischman,	Lippincott,	Richter,	Zeltz,
Floyd,	Lopresti,	Rosen,	Ziegler,
Flynn,	Lovett,	Rovansek,	Smith, C. C., Speaker
Frost,	Lutty,	Royer,	
		Rubin,	

NAYS—5

Bucchin,	Schmidt,	Seyler,	Wallace,
Maxwell,			

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1481, as follows:

An Act to add section seven hundred ten point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person sentenced for any term of years to commit an as-

sault by any means likely to produce great bodily injury and fixing the penalty therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding immediately following section seven hundred ten thereof a new section to read as follows

Section 710.1 Assault by Prisoner Every person who has been sentenced to imprisonment for any term of years in any penal or correctional institution located in this Commowealth who while undergoing imprisonment with malice aforethought commits an assault upon another with a deadly weapon or instrument or by any means or force likely to produce great bodily injury is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars ($10,000) or undergo imprisonment by separate or solitary confinement at labor not exceeding twenty (20) years or both

Section 2 The provisions of this act shall become effective immedaitely upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I would like to inquire of the gentleman whether Bills 1480, 1481, and 1482 are based upon the recommendations of the Devers Committee.

Mr. TOMPKINS. I am unable to state whether they are based on those recommendations or not. They are bills, however, that originated with the Department of Justice and were put in by me at their request.

Mr. SEYLER. Mr. Speaker, I would ask the gentleman whether it is not true that these bills were submitted prior to the final report of the Devers Committee.

Mr. TOMPKINS. I think these bills were introduced simultaneously with the Devers report over in the Senate, which bills are today on the third reading calendar in the House.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

Mr. TOMPKINS. Mr. Speaker, For the information of the gentleman from York, House Bill No. 1482, Printer's No. 468, the next bill on the calendar, is being passed over today to put some amendments in it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Gibson,	Markley,	Sarraf,
Alexander,	Gleason,	Mathews,	Schuster,
Andrews,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	Metz,	Scott,
Ashton,	Gramlich,	McCann,	Shoemaker,
Auker,	Greenwood,	McCormack,	Shotwell,
Banker,	Guss,	McCullough,	Smith, W. B.,
Barkdoll,	Gutendorf,	McDermit,	Snider,
Baumunk,	Guthrie,	McGee,	Spencer,
Bazin,	Hall,	McInroy,	Stank,
Bear,	Hamilton, R. K.,	McWherter,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moscrip,	Thomas,
Breth,	Hoggard,	Monroe,	Thompson,
Brown,	Ide,	Moran,	Toll,
Buchanan,	Jenkins,	Muldowney,	Tompkins,
Bullen,	Jim,	Munley,	Toomey,
Capano,	Johnson,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cioffi,	Jones, Gran'le E.	Musto,	Varner,
Clapper,	Jones, Paul F.,	Naugle,	Vaughan,
Cochran,	Jones, T. H. W.,	Needham,	Verona,
Comer,	Jump,	Ogilvie,	Wall,
Connelly,	Kamyk,	Olsen,	Walsh,
Conner,	Keller,	Parlante,	Wargo,
Cooper,	Kent,	Peifly,	Waterhouse,
Coyle,	Kerlin,	Peta,	Weidner,
Curwood,	Kohl,	Petrosky,	Welsh,
Davis,	Kolankiewicz,	Pettigrew,	Wescott,
Dougherty,	Kornick,	Pfaff,	Whalley,
Down,	Kratz,	Phillips,	Wheeler,
Downey,	Kromer,	Polaski,	White,
DuBois,	Kubacki,	Polen,	Whitenight,
Dunn,	Lafore,	Poltenstein,	Willaredt,
Erb,	Lederer,	Price,	Williams,
Ewing,	Leonard,	Quisenberry,	Wilt,
Farabaugh,	Leisey,	Ragot,	Wood,
Fenrich,	Leven,	Readinger,	Worley,
Ferster,	Light,	Reagan,	Yeakel,
Filo,	Limper,	Reidenbach,	Yetzer,
Flack,	Lippincott,	Richter,	Young,
Fleischman,	Lopresti,	Rosen,	Zeitz.
Floyd,	Lovett,	Rovansek,	Ziegler,
Flynn,	Lutty,	Royer,	Smith, C. C., Speaker
Frost,	Maguire,	Rubin,	
Geer,	Mahan,		

NAYS—4

Bucchin,	Seyler,	Schmidt,	Wallace,

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1482, Printer's No. 468, and

House Bill No. 1486, Printer's No. 464,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1510, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 0.1959 acres more or less of land in the township of Limerick Montgomery County Pennsylvania with the aproval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in the township of Limerick County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a concrete monument being a corner of lands of Kinsey Distilling Corporation and a point on line of lands of Strafford Knitting Mills thence along lands of the said Kinsey Distilling Corporation south 21

degrees 23 minutes and 50 seconds east 49.62 feet to a corner of lands of Reading Company thence along the northerly right-of-way of the Reading Company north 82 degrees 28 minutes and 52 seconds east 150.46 feet to a corner at lands of the Commonwealth of Pennsylvania thence along said lands north 4 degrees 00 minutes west 59.94 feet to a corner at lands of Strafford Knitting Mills thence along the same south 77 degrees 27 minutes and 18 seconds west 166.44 feet to the place of beginning containing 0.1959 acres of land be the same more or less and being a part of the same land conveyed to the Comwealth of Pennsylvania by deed of Daniel Stauffer and Fannie Stauffer his wife by deed dated December 13 1917 and recorded in Montgomery County Deed Book "228" at page 275

The conveyance shall be made and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estate or tenancies vested in third persons whether or not appearing of record for any portion of said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 83, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg Dauphin County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the property at No 311 North Front Street in the city of Harrisburg Dauphin County Pennsylvania known as the Executive Mansion and the two plots of land now owned by the Commonwealth and situate at the south-east corner of Front and Maclay Streets in the city of Harrisburg Dauphin County together with the buildings erected thereon

Section 2 The deed or deeds of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The money received by the Commonwealth as consideration for the sale or sales and conveyances shall be credited to the General Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Gibson,	Markley,	Schuster,
Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,

Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Conner,	Keller,	Peifly,	Walsh
Connelly,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Worley,
Fenrich,	Light,	Reidenbach,	Wood.
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,			

NAYS—1

Moscrip,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 85, Printer's No. 41

Senate Bill No. 207, Printer's No. 278

Senate Bill No. 236, Printer's No. 223 and

Senate Bill No. 326, Printer's No. 94

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 360, as follows:

An Act to further amend section two hundred forty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for additional complimentary fishing licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 240 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1145) is hereby further amended to read as follows

Section 240 Unnaturalized Foreign-born Not to Fish It shall be unlawful for any unnaturalized foreign-born resident to go fishing for or capture or kill in this Commonwealth any fish of any description Provided however That the Commissioner with the approval of the Board may issue not more than [fifty] one hundred special fishing permits or complimentary licenses in each year to unnaturalized foreign-born persons or distinguished non-residents Each and every person violating any provision of this section shall upon conviction thereof in the manner provided in chapter fourteen of this act be sentenced to pay a penalty of twenty dollars for each offense

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Adam,	Hall,	Maxwell,	Spencer,
Andrews,	Hamilton, W. H.,	McCann,	Stank,
Baumunk,	Harris,	McCormack,	Stimmel,
Blair,	Haudenshield,	McDermit,	Sucher,
Boles,	Helm,	McGee,	Taylor,
Boory,	Hersch,	McInroy,	Thomas,
Bower,	Jenkins,	Mihm,	Thompson,
Breth,	Johnson,	Miller,	Toll,
Brown,	Jones, Geo. E.,	Monroe,	Tompkins,
Bucchin,	Jones, Gran'le E.	Munley,	Toomey,
Buchanan,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Bullen,	Jump,	Musto,	Varallo,
Capano,	Kamyk,	Needham,	Vaughan,
Cianfrani,	Keller,	Olsen,	Wall,
Cioffi,	Kent,	Parlante,	Wargo,
Clapper,	Kerlin,	Pfaff,	Waterhouse,
Connelly,	Kohl,	Polaski,	Weidner,
Coyle,	Kolankiewicz,	Polen,	Welsh,
Dougherty,	Kornick,	Poltenstein,	Whalley,
Downey,	Kubacki,	Readinger,	Wheeler,
Ewing,	Lafore,	Reidenbach,	White,
Farabaugh,	Lederer,	Rovansek,	Willaredt,
Fenrich,	Leonard,	Royer,	Williams,
Ferster,	Leven,	Sarraf,	Yeakel,
Flack,	Limper,	Schmidt,	Yetzer,
Fleischman,	Lopresti,	Schuster,	Young,
Floyd,	Lutty,	Schwartz,	Zeitz,
Flynn,	Maguire,	Scott,	Smith, C. C., Speaker
Geer,	Mathews,	Snider,	
Guthrie,			

NAYS—56

Ashton,	Gibson,	Lovett,	Seyler,
Auker,	Goodling,	Markley,	Shoemaker,
Banker,	Gremlich,	McCullough,	Smith, W. B.,
Barkdoll,	Greenwood,	Metz,	Stevenson,
Bear,	Guss	Mikula,	Stoner,
Bolton,	Hamilton, R. K.,	Moody,	Strausser,
Breisch,	Hewitt,	Moore,	Wallace,
Davis,	Hocker,	Moran,	Walsh
Down,	Ide,	Moscrip,	Wescott,
DuBois,	Jim,	Naugle,	Whitenight,
Dunn,	Jones, T. H. W.,	Ogilvie,	Wood,
Erb,	Kratz,	Price,	Worley,
Filo,	Kromer,	Ragot,	Ziegler,
Frost,	Leisey,	Richter,	

NOT VOTING—36

Alexander,	Gleason,	Mills,	Reagan,
Amarando,	Glick,	Muldowney,	Rosen,
Bazin,	Gutendorf,	Murray, J. J.,	Rubin,
Bomberger,	Hoggard,	Peifly,	Shotwell,
Cochran,	Kline,	Peta,	Stone,
Comer,	Light,	Petrosky,	Varner,
Conner,	Lippincott,	Pettigrew,	Verona,
Cooper,	Mahan,	Phillips,	Watkins,
Curwood,	McWherter,	Quisenberry,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 471, Printer's No.160

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissiblity in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates fares and charges and supplements thereto filed with any federal regulatory commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" is hereby amended to read as follows

Sction 6 Federal Documents Filed in Public Office Certified Copies Original A copy of a document not being a conveyance of title or other interest in property required or allowed by law to be filed in a public office of the United States is admissible to evidence the original when certified by the lawful custodian of the records of that office under seal of the office In any such case the court may on request of a party order the production of the original document for any purpose Printed copies of schedules and classification and tariffs of rates fares and charges and supplements thereto filed with any federal regulatory commission which show respectively the number assigned to them by such commission which may be stated in an abbreviated form may be received in evidence without certification and shall be presumed to be correct copies of the original schedules classifications tariffs and supplements on file with such commission

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo E.,	Musto,	Varallo,
Cianfrani,	Jones, Granle E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate in requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 616, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres more or less situate in Skippack Township Montgomery County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in the Township of Skippack County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point in the center of the intersection of the Skippack Pike and Lederach Road said point being 548.79 feet east of point of intersection thence north 2 degrees 15 minutes west 163.5 feet to a monument thence north 41 degrees 15 minutes east 259.05 feet to a monument thence south 46 degrees 45 minutes east 840.5 feet to a monument on right-of-way of Skippack Pike thence on a radium of 1,825 feet and on arc distance 907.44 feet to a point on the curve of the Skippack Pike to the point of beginning the plot being a total of 4.466 acres

be the same more or less and being a part of the same land conveyed to the Commonwealth by deed of Edward T Grater et ux by deed dated the twenty-sixth day of April one thousand nine hundred twenty-seven and recorded in Montgomery County in Deed Book 1013 Volume at page 371

The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estate or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the same name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe.	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Mathews,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 618, as follows:

An Act to further amend Section 1 of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 279) entitled "An act relating to the time and manner of taking exeception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case" by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case" as amended by the act approved the fifth day of June one thousand nine hundred thirteen (P. L. 421) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act it shall not be necessary on the trial of any case civil or criminal in any court of record in this Commonwealth to take exception to any ruling on the admission or exclusion of testimony nor for the trial judge to allow an exception to any ruling of his but immediately succeeding such ruling the official stenographer shall note such exception and it shall thereafter have all the effect of an exception duly taken written out signed and sealed by the trial judge

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,

Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 624, as follows:

An Act to amend the Act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers warehouse receipts bills of lading other documents of title investment securities and secured transactions including certain sales of accounts chattel paper and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to eliminate all doubts as to the applicability of Article 9 of the Uniform Commercial Code to assignments or other transfers of interests or claims in or under policies of insurance Section 9-104 of the Act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers warehouse receipt bills of lading other documents of title investment securities and secured transactions including certain sales of accounts chattel paper and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto" is hereby amended by adding thereto a new subsection as follows

Section 9-104 Transactions excluded from article this article does not apply

* * * * *

(g) to an assignment or other transfer of an interest or claim in or under any policy of insurance

Section 2 This Act shall become effective at 12:01 A M on July 1 1954

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Mathews,		

NAYS—0

NOT VOTING— 2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 659, as follows:

An Act to amend Sections 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that writ of certiorari shall not be a supersedeas unless bond is filed and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" are hereby amended to read as follows

Section 506 Appeal Certiorari Within five days after the rendition of judgment either party may appeal to the next court of common pleas upon filing in that court a bond with one or more sufficient sureties conditioned for the payment of all costs and rent that have accrued or may accrue up to the time of final judgment and for damages assessed if any in case the judgment shall be affirmed Any such appeal shall be tried in the same manner as other suits are tried Such appeal shall not be a supersedeas to the writ of possession in any case except upon special allowance of the court to which the appeal is taken

If upon the appeal the jury shall find in favor of the tenant they shall also assess any damages which he may have sustained by reason of his removal from the premises and judgment shall be entered for such damages and costs and that the tenant shall retain or recover possession of the demised real estate as the case may be The tenant shall have the necessary writ or writs of execution to enforce said judgment

A writ of certiorari to remove the proceedings before the justice of the peace may be had as in other cases and the court of common pleas shall review the same de novo

Such writ of certiorari shall not be a supersedeas to the writ of possession unless a bond with surety be filed containing the same conditions as required for filing an appeal as provided in this section

Section 509 Return Where Tenant Retains Forcible Possession Notice to Tenant That Alias Writ Will be Issued Requiring Use of Force and Service Thereof In any case brought by a landlord before a justice of the peace for the recovery of the possession of real property if there is no supersedeas to the writ of possession and the tenant or occupant forcibly detains the real property against the officer serving the writ of possession the constable or sheriff shall make return of the writ as follows "Unserved because the tenant or occupant forcibly detains possession of the real property"

Whereupon after the expiration of ten days from the rendition of judgment by the justice of the peace as in this article provided and five days from the issuing of the writ of possession to the officer as in this article provided such officer shall notify in writing the tenant or occupant that an alias writ of possession will be issued setting forth his duty to use such force as may be necessary by the breaking in of any door or otherwise to enter upon the real property for the purpose of executing a writ of possession in accordance with the judgment obtained

Any such notice may be served personally on the tenant or occupant or by leaving same at the principal building upon the premises or by posting the same conspicuously on the leased premises

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Loprest,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 669, entitled:

An Act to repeal the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 188) entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States including all departments bureaus commissions and other agencies thereof existing under acts of the Congress of the United States and to the Government of any state or commonwealth of the United States and to any county city borough township or other organized subdivision of any state or commonwealth of the United States and to any institution maintained by or receiving aid from any state or commonwealth of the United States or any organized subdivision thereof."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER, I believe the next group of Senate bills are all related to each other and after third reading I desire to request that Mr. Tompkins, of Cameron County explain these bills for the information of the Members.

Mr. TOMPKINS. Mr. Speaker, Senate Bills 669, 670, and 672, which appear on page 52 of the calendar are really bills which repeal prior acts of the Legislature.

Senate Bills 673, 671, 676, 677, 675, 674, 686, constitute a package carrying out recommendations of the Devers Committee.

Senate Bill 673. This bill carries out recommendation No. 14, found on page 8 of the Devers report. It establishes a Bureau of Correction in the Department of Justice, headed by a Commissioner of Correction. It also provides for a deputy commissioner for treatment who shall be in charge of and responsible for the administration of the Eastern and Western Correctional, Diagnostic and Classification Centers. The Deputy Commissioner for Treatment shall have the sole responsibility for the transfer of such persons from said Diagnostic and Classification Centers to State Institutions, and the transfer of persons from one State Institution to another.

The bill also provides for establishment of industries in state penal and correctional institutions in the manner formerly carried on by the Department of Welfare.

Senate Bill 671. This bill transfers the Board of Trustees of Eastern State Penitentiary, Western State Penitentiory, State Penitentiary at Rockview, State Penitentiary at Gratersford, State Penitentiary at Huntington, Pennsylvania Industrial School at Camp Hill, and State Industrial Home for Women, to the Department of Justice from the Department of Welfare.

Senate Bill 676. This bill carries out recommendation No. 17, found on page 10 of the Devers report, by establishing two correctional and diagnostic centers at the Eastern and Western State Penitentiaries.

Senate Bill No. 677. This bill amends the Act of March 24, 1921, P. L. 48, by providing for the transfer of convicts from state penitentiaries under the direction of the Deputy Commissioner for Treatment.

Senate Bill No. 675. This bill creates new boards of trustees for the state penitentiaries at Rockview, Gratersford, and Huntingdon, and authorizes the Commissioner of Correction to formulate a state-wide plan of operation of the penal and correctional institutions within the Department of Justice, provides that each institution shall have a separate warden or superintendent, and that the practice of having branch institutions shall be abolished, such as the Rockview branch of the Western Penitentiary. This provision was a highlight of the Devers report which will be found by reference to recommendation 20 on page 10 of the report.

Senate Bill 674. This bill creates two districts in the Commonwealth for the administration of the state penal and correctional institutions.

Senate Bill 686. This bill amends the Fiscal Code, the Act of April 9, 1929, P. L. 343, by substituting the Department of Justice for the Department of Welfare in Section 302, which provides for the disposition of funds arising from the industries established and maintained in our penal institutions.

Mr. ANDREWS. Mr. Speaker, will the gentleman from Cameron explain the purpose and intent of Senate Bill 652?

Mr. TOMPKINS. Mr. Speaker, Senate Bill 652 merely repeals the present Act as it is now in force.

Mr. ANDREWS. Mr. Speaker, what is the purpose of repealing the present Act? What is the end result?

Mr. TOMPKINS. Mr. Speaker, apparently it conflicts with some of the recommendations which are contained in the bills following.

Mr. ANDREWS. Mr. Speaker why should prisoners not be transferred to Rockview Penitentiary?

Mr. TOMPKINS. Mr. Speaker, I believe if I am correct in my assumption on this—I do not have the bill before me, the details—but I think this makes Rockview a separate institution and not a branch institution of the Western Penitentiary.

Mr. ANDREWS. Mr. Speaker, in the proposed setup what function is Rockview designed to perform?

Mr. TOMPKINS. Mr. Speaker, I am afraid I cannot answer that question unless I would refer to the Governor's report, which I do not have before me.

Mr. ANDREWS. Mr. Speaker, would there be any objection if we did not pass this particular bill today? It would not interfere with the general structure, would it, to take a little more time to it?

The SPEAKER. If agreeable to the House, the Chair would suggest that this package of bills be held over for the day.

Mr. TOMPKINS. That would be agreeable to me, Mr. Speaker.

Mr. READINGER. Mr. Speaker, these bills are probably very well drawn and will accomplish a fine purpose, but in view of the major changes being made, may I suggest to the gentleman from Cameron that tomorrow or at the time these bills are brought up for final passage, he obtain from the Department of Justice or the Department of Welfare a clarifying statement which will tie them all together. The gentleman has explained what each one does, but I doubt very much if any of us here understands the major objectives being sought by these bills, and I would suggest that he obtain a statement clarifying the matter for us at a later time.

Mr. TOMPKINS. I will do that, Mr. Speaker.

The SPEAKER. Without objection the Chair will withdraw its decision as to this bill having been agreed to on third reading. The Chair hears none.

BILLS PASSED OVER

There being no objection

Senate Bill No. 669, Printer's No. 324,
Senate Bill No. 670, Printer's No. 325,
Senate Bill No. 671, Printer's No. 342,
Senate Bill No. 672, Printer's No. 326,
Senate Bill No. 673, Printer's No. 329,
Senate Bill No. 674, Printer's No. 338,
Senate Bill No. 675, Printer's No. 331,
Senate Bill No. 676, Printer's No. 332,
Senate Bill No. 677, Printer's No. 333, and
Senate Bill No. 686, Printer's No. 339,

were passed over at the request of Mr. ANDREWS.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 127, entitled:

An Act validating building and zoning ordinances and codes or amendments thereto of political subdivisions not filed in the office of the recorder of deeds when prescribed by law under certain conditions

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHMIDT. Mr. Speaker, House Bill 127, Printer's No. 476, contains the same provisions as does Senate Bill 217 and Senate Bill 218, which were passed by this House on June 24th and are now in the hands of the Governor for signature.

BILL RECOMMITTED

Mr. SCHMIDT. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

The motion was agreed to.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WOOD.

The House resumed the consideration on final passage of House Bill No. 952, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for filling of vacancies in certain offices and for notice and publication of fire protection codes and ordinances authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds increasing the criminal jurisdiction of the mayor as an alderman authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising authorizing certain street construction and improvement by city employes and the sale of real estate by the city at public sale providing for payment by the city of certain costs in connection with shade trees and further regulating purchases and contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 801 802 and 1014 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) are hereby further amended to read as follows

Section 801 Vacancies in Council and Office of Mayor If a vacancy exists in the city council whether as to the office of mayor or one or more of the other members of council the city council shall by a majority of its remaining members fill such vacancy within thirty days thereafter by electing a qualified person to serve until that first Monday of January when his successor who shall have been elected by the qualified electors at the next municipal election occurring at least [ninety] thirty days after such vacancy exists is duly sworn into office for the remainder of the term of the person originally elected to said office.

In case vacancies should exist whereby the offices of three or four of the five members of the city council become vacant the remaining one or two members shall fill such vacancies one at a time giving each new appointee such reasonable notice of his appointment as will enable him to meet and act with the then qualified member or members of the city council in making further appointments until three members of city council have been qualified whereupon the said three members shall fill the remaining vacancies at a meeting attended by the said three members of said city council such appointees to receive a majority of the votes of the said three members present at any such meeting The person or persons selected to fill such vacancy or vacancies shall hold their offices as herein provided

If by reason of a tie vote or otherwise such vacancy shall not have been filled by the remaining members of city council within the time as limited herein the court of common pleas upon the petition of ten or more qualified electors shall fill such vacancy by the appointment of a qualified person for the portion of the unexpired term as above provided

If at any time vacancies should occur or exist in the membership of all five members of city council the court of common pleas shall appoint a city council including a mayor of persons properly qualified who shall serve as herein provided

Section 802 Vacancy in Office of Controller or of Treasurer If a vacancy occurs in the office of city controller or in the office of city treasurer the city council shall fill such vacancy within thirty days thereafter by choosing a city controller or a city treasurer as the case may be to serve until his successor is elected by the qualified electors at the next municipal election occurring at least [one hundred and twenty] two hundred days after such vacancy occurs and is duly sworn into office The person so elected shall serve for a term of four years from the first Monday of January next succeeding his election [until the first Monday of January in the fourth year thereafter] for the remainder of the term of the person originally elected to such office

Section 1014 Time of Taking Effect of Ordinances Publication Recording Proof and Evidence Notice of Building and Zoning Ordinances Maps and Plans All ordinances shall unless otherwise provided therein or by law take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk Every ordinance except as otherwise herein provided prescribing a penalty for the violation thereof shall be forthwith published at least three times each publication on a different day in at least one and not more than two newspapers printed or circulated within the city in the manner provided by section one hundred and nine of this act All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens All ordinances resolutions motions or other proceedings of council may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form by authority of the city shall be read and received as evidence in all courts and elsewhere without further proof At least one

week and not more than three wesks prior to the first reading of any proposed building code ordinance fire prevention code ordinance or zoning ordinance by council an informative notice of intention to consider such ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs in the case of a zoning ordinance [or] the Department of Labor and Industry in the case of a building code or the Pennsylvania State Police in the case of a fire prevention code and a reference to the place or places within the city where copies of the proposed building code fire prevention code or zoning ordinance may be examined or obtained shall be published in the manner herein provided for the publication of ordinances Such building code ordinance fire prevention code ordinance or zoning ordinance shall not be published after adoption but not less than three copies thereof shall be made available for public inspection and use during business hours for at least three months after adoption and printed copies thereof shall be supplied upon demand at cost In any case in which maps plans or drawings of any kind are to be adopted as part of an ordinance council may instead of publishing the same as part of the ordinance refer in publishing the ordinance or a summary thereof to the place where such maps plans or drawings are on file and may be examined

Section 2 Article XVIII of said act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended by adding after Section 1811 thereof two new sections to read as follows

Section 1811.1 Temporary Debt for Permanent Improvements etc Payment Cities may borrow money for permanent improvements where no bond issue has been previously authorized and all such moneys for which an obligation or obligations other than bonds have been issued shall unless refunded by the issue of bonds be paid within three years from date of issue of such obligation together with interest and at least one third of the total principal of the original loan shall be paid annually Such obligation or obligations may be paid in full or in part each year when the taxes are received and reborrowed again the latter part of the fiscal year Provided That the amount reborrowed is less than the amount borrowed the preceding year by at least one-third of the total amount of the orignal loan Each time the money is reborrowed the date and purpose for which it was originally borrowed shall be restated The amount of the original loan shall be paid in full within a maximum term of three (3) years from the date of the original loan for such purpose unless funded as hereinbefore provided

Section 1811.2 Borrowing in Anticipation of Current Revenue Cities may borrow money in anticipation of current revenues to an amount not exceeding such anticipated current revenues which shall be pledged for the payment of such loan or loans and issue notes or other form of obligation executed by the director of the Department of Accounts and Finance and attested by the mayor under the seal of the city securing such loans Such notes or other form of obligation shall mature and be payable during the current fiscal year in which such money is borrowed No such borrowing shall constitute an increase of indebtedness within the meaning of Article nine section eight of the Constitution of Pennsylvania or of the "Municipal Borrowing Law" of June twenty-fifth one thousand nine hundred forty-one (P. L. 159) or of any of the provisions of this act and shall not require the approval of the Department of Internal Affairs Such notes shall bear interest at a rate not exceeding six (6) per centum per annum payable at maturity or in advance and may be sold at either public or private sale for not less than par If such loans are not repaid in whole or in part during the fiscal year in which they are made they or such amounts as remain unpaid shall become an obligation upon the following year's budget and shall be included therein and paid not later than the thirty-first day of December of such following year The incurring of such obligations shall receive the affirmative vote of not less than two-thirds of the members of the city council

Section 3 Section 1207 of said act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 1207 Criminal and Civil Jurisdiction Docket Fees The mayor shall have the criminal jurisdiction of an alderman within the city [to enforce the ordinances of the city and collect fines and penalties imposed thereunder or to sentence violators to suppress riots tumults and disorderly meetings] and as to persons and acts in or upon properties within the Commonwealth owned or controlled by the city or by any municipality authority of the city and shall have no civil jurisdiction except in relation to actions for penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of the Commonwealth relating thereto

He shall have the power of a committing magistrate under the acts of Assembly relating to tramps vagrants dissolute disorderly and drunken persons as may be provided by law

He shall be empowered to take acknowledgements of any instruments in writing pertaining to the business of the city solemnize marriages and administer oaths and affirmations as to city business and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with the like effect as the docket entries and transcripts of aldermen are by law admissible for similar purposes

He shall charge and receive for all official services the same fees and costs as are allowed by law to aldermen of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by his oath or affirmation taken before the director of accounts and finance and filed with him

Section 4 The first paragraph of section 1901 of the act as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1515) is hereby further amended to read as follows

Section 1901 Power to Make Contracts Regulations Concerning Contracts Each city may make contracts for carrying into execution the provisions of this act and the laws of the Commonwealth The council shall by ordinance provide for and regulate the award of all contracts No contracts shall be entered into or purchase made by the city in an amount involving more than two hundred dollars except upon council's approval thereof All contracts or purchases not in excess of seven hundred fifty dollars shall be by vote or memorandum in writing signed by the officer or employe making the purchase or contract

Section 5 Section 1906 of said act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 1906 Designation of Appropriations Certification of Excess of Appropriation Contracts for Governmental Services for More than One Year Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the director of accounts and finance on the contract before it shall take effect as a contract The payments required by such contracts shall be made from the fund appropriated therefor In any case where the lowest responsible bid is in excess of the item of appropriation on which the contract it to be founded the item of appropriation may be increased by council in the amount necessary to cover the bid and the contract may be awarded and certified without any additional advertising If the director of

accounts and finance shall certify any contract in excess of the appropriation made therefor the city shall not be liable for such excess but the director of accounts and finance shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years

It shall be the duty of the director of accounts and finance to certify contracts for the payment of which sufficient appropriations have been made

Section 6 Article XIX of said act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended by adding at the end thereof a new section to read as follows

Section 1918 Street Construction and Improvement by City Employes Any city may use the work or services of its employes in the construction or improvement for a distance of not over six hundred (600) feet of any public street within its territorial limits but shall be subject to the limitations and duties imposed by this article in the purchase of any materials for such construction or improvement The provisions of this section shall not be construed to affect or limit the provisions of Article XXIX of this act

Section 7 Sections 2561 and 3807 of said act as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) are hereby further amended to read as follows

Section 2561 Sale Procedure After an ordinance has been passed authorizing and directing the sale of real estate as provided for in section two thousand five hundred sixty the city treasurer shall advertise such proposed sale once a week for three successive weeks in at least one newspaper of general circulation in the city The advertisement shall give a brief description of the property to be sold sufficient to identify it as to location and character and the terms and conditions of sale shall ask for sealed bids for the purchase thereof direct all bids to be sent to the city clerk on or before a certain date and give any other information relating to such bids as may be necessary shall announce that the bids shall be opened and read at a public meeting of council to be held at a time fixed and that council shall have the right to reject any and all bids In lieu of the above contents of the advertisement the advertisement may give a brief description of the property to be sold sufficient to identify it as to location and character and provide for a public sale of the property to the highest responsible bidder at such time and place as shall be designated by council with the right reserved to council to reject any and all bids

Section 3807 Payment by Owners The cost of furnishing planting [transplating] transplanting or removing any shade trees in or along the streets of the city of the necessary and suitable guards curbing or grading for the protection thereof and of the replacing of any pavement or sidewalk necessarily disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done except that part of such cost may be certified by the commission to council and to the city treasurer as a charge to be paid by the city.

The amount each owner is to pay shall be ascertained and certified by the commission to council and to the city treasurer

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gleason,	Maxwell,	Schwartz,
Alexander,	Glick,	McCann,	Scott,
Amarando,	Goodling,	McCormack,	Seyler,
Andrews,	Gramlich,	McCullough,	Shoemaker,
Ashton,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Mihm,	Stank,
Bear,	Hamilton, R. K.,	Mikula,	Stevenson,
Blair,	Hamilton, W. H.,	Miller,	Stimmel,
Boies,	Harris,	Mills,	Stone,
Bolton,	Haudenshield,	Monroe,	Stoner,
Bomberger,	Helm,	Moody,	Strausser,
Boory,	Hersch,	Moore,	Sucher,
Bower,	Hewitt,	Moran,	Taylor,
Breisch,	Hocker,	Moscrip,	Thomas,
Breth,	Hoggard,	Muldowney,	Thompson,
Brown,	Ide,	Munley,	Toll,
Buchanan,	Jenkins,	Murray, J. J.,	Tompkins,
Bullen,	Jim,	Murray, P. G.,	Toomey,
Capano,	Johnson,	Musto,	VanSant,
Cianfrani,	Jones, Geo. E.,	Naugle,	Varallo,
Cioffi,	Jones, Gran'le E.	Needham,	Varner,
Clapper,	Jones, Paul F.,	Ogilvie,	Vaughan,
Cochran,	Jones, T. H. W.,	Olsen,	Verona,
Comer,	Jump,	Parlante,	Wall,
Connelly,	Kamyk,	Peifly,	Wallace,
Conner,	Keller,	Peta,	Walsh
Cooper,	Kent,	Petrosky,	Wargo,
Coyle,	Kohl,	Pettigrew,	Waterhouse,
Curwood,	Kolankiewicz,	Pfaff,	Weidner,
Davis,	Kornick,	Phillips,	Welsh,
Dougherty,	Kratz,	Polaski,	Wescott,
Down,	Kromer,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
Dunn,	Lafore,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Yeakel,
Floyd,	Lutty,	Royer,	Young,
Flynn,	Maguire,	Rubin,	Zeitz,
Frost,	Mahan,	Sarraf,	Ziegler,
Geer,	Markley,	Schmidt,	Smith, C. C.,
Gibson,	Mathews,	Schuster,	Speaker

NAYS—6

Auker,	DuBois,	Lederer,	Metz,
Bucchin,	Kerlin,		

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

SELECT COMMITTEE FOR MEMORIAL SERVICES

Mr. WOOD offered a resolution which was read, considered and adopted as follows:

RESOLUTION

FOR MEMORIAL SERVICES

In the House of Representatives, July 13, 1953.

Resolved, That the Speaker appoint a Select Committee comprised of eight members of the House of Representatives to fix a time and conduct Memorial Services in memory of our deceased members.

COMMITTEE ON MEMORIAL APPOINTED

In the House of Representatives, July 13, 1953.

The Speaker. Pursuant to the resolution this day adopted

by the House the Chair appoints as members of the Select Committee on Memorials:

Messrs: WOOD, Chairman, YEAKEL, HALL, ROYER, LEISEY, HEWITT, STANK, and MIHM.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1218, as follows:

An Act to reenact and further amend Section 220 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by increasing the resident fishing license fee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 220 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 179) and in part by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 657) is hereby reenacted and further amended to read as follows

Section 220 Resident Fishing License Fees (a) For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of two dollars [($2.00)] and fifty cents ($2.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

(b) Any disabled veteran of any war whose disability consists of the loss of one or more limbs or the loss of the use of one or more limbs or a veteran who is totally blind and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth The application for the issuance of a license in such case shall in addition to the other information required contain a statement that the applicant is a war veteran and that his disability was service incurred The county treasurer may likewise require of such applicant the production of such applicant's discharge papers

[For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization]

(c) In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

(d) Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River in accordance with the provisions of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STIMMEL. Mr. Speaker, just a brief word or two about this bill. As the Members probably know, this is a free increase on the fishing license in the Commonwealth.

The reason this is necessary is because the employes of the Fish Commission starting with the warden and up to but not including the Fish Commissioner are desperately in need of more money if we are to keep the capable personnel in our hatcheries and the men that police our streams. Because this affects so many individuals, I asked that the bill be called up at this time and I trust that you will be patient with me for a moment.

We have had in the Commonwealth no increase in the fishing license fee except in the 1947 Session at which time we earmarked a portion of that for the purchase of land and improvements.

It is now necessary that we spend about $800,000 on our fish hatcheries if we are going to continue to have good fishing in the Commonwealth.

It is even more important that we pay the average person who works for the Fish Commission, fellows who I like to say must love this business or else they would not be in it because they certainly are not very well paid presently.

The Pennsylvania Federation of Sportsmen's Clubs have met with the Fish Commission, and there is an understanding that the complete salary scale will be evaluated and job personnel will be reclassified so that after we pass this bill—I sincerely hope we do—we will be able to pay these people a living wage. That is the average fellow that does the job out in the field.

I would like to submit as part of the record in that respect a letter which I will not tire you by reading. This letter was written to me as Chairman of the Fish Committee from Everett G. Henderson, the Legislative Chairman of the Pennsylvania Federation of Sportsmen's Clubs, which outlines the purposes for which the 50 cent increase in the fee and is to be used, as I explained to you.

I solicit your vote on this bill.

The Honorable Reginald P. Stimmel,
Chairman Fish Committee,
House of Representatives,
Harrisburg, Pennsylvania

Dear Mr. Stimmel:

It was my pleasure some days ago, at your invitation to meet with your Fish Committee, and discuss joint legislation affecting conservation; particularly, with regard to our Federation Resolution for a $.50 increase in the resident fishing license fee.

Following that meeting, the Board of Directors of the Federation met with the Pennsylvania Fish Commission, at their Administration Building in Bellefonte, at which time we very thoroughly discussed the proposed increase in the fishing license, and it was mutually agreed that a committee of three directors of the Federation, and three members and representatives of the Pennsylvania Fish Commission meet and further discuss in detail the entire salary schedule of the Commission, and the reclassification of the Commission employes.

The Commission mutually agreed that an adjustment in the salaries of their employes should be made in order that they keep and attract qualified men to their service.

The two committees have been appointed and I might say that the Fish Commission has spent considerable time on the preliminary studies of reclassifying their personnel, and I feel of a certainty that there will be no difficulty in the Commission, and the Federation mutually agreeing upon these adjustments.

The Commissioners agreed with our Directors that as much of the $.50 increase as would be necessary, would be used for the salary increases and that any revenue in excess would be used in the rehabilitation of the hatcheries and facilities of the Commission.

I have seen a detailed report made by the Fish Commission of the necessary hatchery rehabilitation and expansion work which must be done at the various fish hatcheries, if the Commission is to do the kind of job they they are asked to do for the fishermen of Pennsylvania, and this program will cost in excess of $800,000, if it were to be completed today. The Commission does not have the money to do this work, and it will be necessary for additional funds for the Fish Commission if they are to expand and improve fishing generally in Pennsylvania.

As you probably know, the Federation has in two consecutive conferences adopted a resolution providing for a $.50 increase in the fishing license, principally for salaries of the Commission employes.

If there is any further information that you desire from the Federation on House Bill Number 1218, please feel free to contact me any time.

Very sincerely,

EVERETT G. HENDERSON, Chairman
Legislation Committee
Everett G. Henderson
Pennsylvania Federation of Sportsmen's Clubs

Mr. TOMPKINS. Mr. Speaker, this bill as the gentleman from Lehigh has stated, is an increase in the fishing license fee from $2 to $2.50.

This bill might be looked upon as sort of a scale you might say, that is, of some of the works of the Commission with that of the salary increases of the employes. If it were not for the fact that they propose to evaluate and sort of harmonize the salaries of the Fish Commission with others doing like duties in the Fish Commission on this Hill, I would be against this bill.

On April 28 of this year we asked for figures in connection with this evaluation, and those figures have not as yet been forthcoming.

I have been kidded for ten years on this very issue by the Fish Commission and as yet I see nothing concrete laid on our desks. In the hope that they will carry out not the promises of the Federated Sportsmen's Club, because they have no power to grant these salaries to the employes, but in the hope that the Fish Commission, who has that power, will carry out that mandate that the employes be taken care of, I am going to vote for this bill.

Mr. BRETH. Mr. Speaker, I understand that the gentleman from Lehigh, Mr. Stimmel, sponsored this bill because of the necessity for raising the salaries generally of the Fish Commission employes.

I would like to ask the gentleman if in addition to the wardens it also includes the hatchery employes?

Mr. STIMMEL. It does, Mr. Speaker.

Mr. BRETH. Mr. Speaker, I understand that the gentleman from Lehigh has been in close touch with the Fish Commission in regard not only to the wardens, but especially in regard to the employes at the nine state hatcheries and the increase with which a new system of evaluated services are concerned, is that right?

Mr. STIMMEL. That is correct.

Mr. BRETH. I understand that the gentleman from Lehigh is certain in his mind that the Fish Commission will carry out especially the increases due to hatchery employes, is that right?

Mr. STIMMEL. To my mind I am certain of it.

Mr. BRETH. Mr. Speaker, I am interested in securing more funds in the fish fund for three reasons.

First of all, we should be proud of the job the Fish Commission has done in the past 15 years. Pennsylvania was the only state in the Union that did not curtail its fish hatchery program during the war years, since 1940. Pennsylvania was the only state in the Union that actually increased its production of legal sized takable fish which were stocked in the state's streams.

In trout alone the production of legal size trout through the war years gradually increased from 1,300,000 a year up to 1,500,000, 1,800,000 and over 2,000,000 legal size trout.

Furthermore—and I believe this will interest the Members greatly—the Pennsylvania Fish Commission, while other states were curtailing hatchery operations and stockable fish, set aside upwards of a quarter of a million legal sized trout from 10 to 15 inches long as a serviceman's reserve. There were more than a quarter of a million nice trout kept back in the hatchery ponds to be available for the boys in the service when they came out after 1945. They did that because they were advised by the men who know health and therapeutics that if fishing could be offered to many of the boys who came out of the service, it would be of utmost therapeutic value in their rehabilitation, and especially servicemen who bore the brunt of the fighting.

My second reason is that the Pennsylvania fish hatchery system has not kept pace in its repair program. There are many, many ponds that need to be modernized, and unless those ponds are modernized, the fish program must suffer.

Another thing as far as production is concerned. The price of fish food has gone from 11 cents a pound to 30 and 40 cents a pound. When it is noted that about 800 tons of fish food are required for a single hatchery program, you can see the cost involved.

The primary reason is this, and this is why I wanted

to have the Members of this House fully advised. There are certain hatchery employes, in fact there are over 700 of them, working in the nine or 10 state hatcheries. Some of those men are working for less, and much less than a dollar an hour, yet those men have been with the Fish Commission hatchery program for 10 years, 15 years and 20 years.

In the past year or so a critical situation has come about and it is this. Those employes who are used to rearing fish, who know how to rear fish, have been gravitating away from the hatcheries to take other jobs which pay them $1.25, $1.50 and $1.75 an hour.

The sportsmen of this state are vitally concerned about the entire hatchery program, but especially of those 724, nine-hatchery employes who must have their standard of living raised or they cannot exist.

It is also my personal opinion in voting for this bill that only because those 724 forgotten fish hatchery employes are going to get a higher wage, which will make a better standard of living for them and have them remain in the employ of the Fish Commission, to continue the Fish Commission's fine program of fish production and fish stocking, that I am for this bill, and that I would personally request all Members to vote for it.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Lehigh, Mr. Stimmel.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. STIMMEL. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, the gentleman stated that these employes involved being at the hatcheries and the field force would also involve the office force with adjustment of their salaries with similar work on the Hill?

Mr. STIMMEL. I had hoped I made myself clear. It would evaluate all the jobs from the job of the Fish Commissioner down, but not including Mr. French's job, but everybody's job in the office, in the field, in the hatcheries, from there on down, and would result in an increase for all the employes in my opinion.

Mr. TOMPKINS. What is it estimated that the annual amount that the increase of 50 cents will produce? Not biennial, but the annual amount the 50 cents increase will produce?

Mr. STIMMEL. Well, annually, it should be approximately, at 50 cents, we sell 600,000 licenses, that would be approximately $300,000.

Mr. TOMPKINS. Is there any indication how much it will take annually to adjust an employe's pay over and above what their present scale amounts to.

Mr. STIMMEL. Until these jobs are completely evaluated and agreements reached, certainly it would be a rough estimate, but let me say that about $100,000 would go to increases in salary, or more.

Mr. TOMPKINS. That is $100,000 a year.

Mr. STIMMEL. That is correct.

Mr. TOMPKINS. I thank the gentleman.

Mr. WALLACE. Mr. Speaker, I would like to interrogate Mr. Stimmel.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. STIMMEL. I shall, Mr. Speaker.

Mr. WALLACE. Mr. Speaker, we have heard so much about salaries, and you have heard the figure that Mr. Stimmel gave, over $100,000 for an increase to the personnel. If it only takes over $100,000, why shouldn't the remainder of the money go for more fish. I am satisfied to go along with this bill if the rest of the money would go for more fish.

I come from up in Luzerne County and I discussed the increase with the fishermen, and they are not in accord with this increase.

Now, what strikes me is the fact that it took so many years to give the men working for the fisheries department an increase in salary. I have not heard yet as to what these men are being paid per hour, and I would like to ask that question. What are they being paid per hour at the present time?

Mr. STIMMEL. That is a question I am not qualified to answer exactly. I can say that it has been mentioned that they were paid under a dollar an hour in some instances.

Mr. WALLACE. Do you not think this body should know just what they are getting paid? I am interested to know what they are getting paid.

Mr. STIMMEL. I regret that I do not have that information. I know that they are grossly underpaid. We have a warden in our county, for instance, who has been there for many years, who, I believe, earns under $3200 a year.

Mr. WALLACE. I thank the gentleman. Mr. Speaker, I ask each and every Member of this House;—they have neard it stated that all the money they need is $100,000. I do not know what they are going to do with the rest of the money; neither does any one of you. Therefore, I say that I do not think we should pass this extra fee on to the fishermen. I think they are paying enough. I speak for the people of Luzerne County. We are not getting the fish.

Mr. STIMMEL. Mr. Speaker, just this one brief remark, so that it may be clearly understood.

A portion of this money will go into the raising of salaries. I do not want to get into a lengthy discussion of the condition of our hatcheries, but our hatcheries are in a deplorable condition. That is part of the reason why you are not getting more fish. We have got to rebuild those hatcheries; we have got to have some new equipment. We need new motor equipment, new tanks, new trucks, a hundred and one odd things. I could not put in the bill how all this money should be spent. Certainly I have every reason to believe, from my discussions with the Federation of Sportsmen and with the Fish Commission, that this money will be spent in good faith, and more certainly I would be one who, if they did not spend it in good faith, should I be re-elected, would censure them, come the next Legislature.

I have every reason to believe that this money will be spent in the best interests of the sportsmen, and certainly some of those employes need a well-deserved raise.

Mr. ANDREWS. I would like to interrogate the gentleman from Lehigh, Mr. Stimmel.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. STIMMEL. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is there any way known to modern science of catching all of the fish—all of them? Then there will not be any more fish, and then there will not be any occasion for fish legislation.

Mr. STIMMEL. Mr. Speaker, that is a trick I would like to know myself.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Adam,	Glick,	Johnson,	Shoemaker,
Alexander,	Goodling,	Mathews,	Shotwell,
Andrews,	Gramlich,	McCann,	Snider,
Ashton,	Greenwood,	McCormack,	Spencer,
Banker,	Guthrie,	McCullough,	Stevenson,
Barkdoll,	Hall,	McDermit,	Stimmel,
Baumunk,	Hamilton, R. K.,	McGee,	Stone,
Bazin,	Hamilton, W. H.,	McInroy,	Stoner,
Bomberger,	Harris,	Metz,	Strausser,
Boory,	Haudenshield,	Miller,	Sucher,
Breth,	Helm,	Monroe,	Taylor,
Brown,	Hersch,	Moody,	Thompson,
Bucchin,	Hewitt,	Moore,	Toll,
Buchanan,	Ide,	Murray, P. G.,	Tompkins,
Bullen,	Jim,	Naugle,	VanSant,
Capano,	Jones, Gran'le E.	Needham,	Varallo,
Cioffi,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Connelly,	Keller,	Parlante,	Wall,
Conner,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Petrosky,	Waterhouse,
Davis,	Kolankiewicz,	Pfaff,	Weidner,
Dougherty,	Kratz,	Polaski,	Welsh,
Down,	Kromer,	Polen,	Whalley,
Downey,	Kubacki,	Poltenstein,	Wheeler,
DuBois,	Lafore,	Price,	White,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Ferster,	Leven,	Readinger,	Yeakel,
Flack,	Light,	Reidenbach,	Yetzer,
Fleischman,	Limper,	Richter,	Young,
Floyd,	Lippincott,	Rovansek,	Zeitz,
Flynn,	Lopresti,	Royer,	Ziegler,
Frost,	Maguire,	Rubin,	Smith, C. C., Speaker
Gibson,	Mahan,	Schwartz,	
Gleason,	Markley,	Scott,	

NAYS—33

Auker,	Jones, Paul F.,	Moscrip,	Stank,
Bower,	Jump,	Murray, J. J.,	Thomas,
Cianfrani,	Kohl,	Olsen,	Toomey,
Clapper,	Leonard,	Reagan,	Wallace,
Erb,	Lovett,	Sarraf,	Walsh,
Filo,	Lutty,	Schmidt,	Whitenight,
Guss,	Mikula,	Schuster,	Wood,
Jenkins,	Moran,	Smith, W. B.,	Worley,
Jones, Geo. E.,			

NOT VOTING—36

Amarando,	Curwood,	Kornick,	Pettigrew,
Bear,	Farabaugh,	Maxwell,	Phillips,
Blair,	Fenrich,	McWherter,	Rosen,
Boies,	Geer,	Mihm,	Seyler,
Bolton,	Gutendorf,	Mills,	Varner,
Breisch,	Hocker,	Muldowney,	Verona,
Cochran,	Hoggard,	Munley,	Watkins,
Comer,	Kamyk,	Musto,	Wescott,
Cooper,	Kline,	Peta,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurence.

PERMISSION TO ADDRESS HOUSE

Mr. YOUNG asked and obtained unanimous consent to address the House.

Mr. Speaker, last Monday I informed the House that when we got the money I would have the FEPC bill up for consideration before the Committee on Labor Relations. I have been advised that the Governor has just signed the tax bill and, therefore, I am reporting out of Committee, as amended House Bill 1165, and in fulfillment of my promise to his Excellency, the Governor, I propose to vote for the bill.

REPORTS FROM COMMITTEES

Mr. JUMP from the Committee on Labor Relations, reported as amended, House Bill No. 742, entitled:

An Act to add Section 7.1 to the act approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by authorizing minors to appear in entertainment performances delete under certain circumstances.

Mr. YOUNG from the Committee on Labor Relations, reported as amended, House Bill No. 1165, entitled:

An Act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement; and imposing penalties.

Mr. OGILVIE from the Committee on Labor Relations, reported as committed House Bill No. 1389, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes to be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to peti-

tion a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further defining "labor organizations" and imposing duties thereon.

Mr. BOORY from the Committee on Municipal Corporations, reported as committed, House Bill No. 1584, entitled:

An Act validating certain contracts and employments entered into between Municipality Authorities and persons, where the same person holding a contract as architect for a project shall have later been employed by the Authority to perform other services and duties.

BILLS ON FIRST READING

Mr. OGILVIE asked and obtained unanimous consent for House Bill No. 1339 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1389, entitled

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court, providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further defining "labor organizations" and imposing duties thereon.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. BOORY asked and obtained unanimous consent for House Bill No. 1584 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1584, entitled:

An Act validating certain contracts and employments entered into between Municipality Authorities and persons, where the same person holding a contract as architect for a project shall have later been employed by the Authority to perform other services and duties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

MEMBER WELCOMED

The SPEAKER. The Chair notices in his seat the gentleman from Lebanon, Mr. Light, who has been in the hospital with an infection of the eye.

The Chair is happy to welcome the gentleman back to the Hall of the House.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 435

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township.

And has appointed Messrs. STEVENSON, MALLERY and BANE a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. KENT. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 435 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 435

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. LIPPINCOTT, HOCKER and LOPRESTI.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 811.

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation

and providing penalties" by defining net income and fixing the rate of tax in the case of stock life insurance companies and extending the provisions of the act for a further limited period of time.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 2, by inserting after the word "by" the words "defining net income and fixing the rate of tax in the case of stock life insurance companies and."

Amend Section 1, page 4, line 11, by inserting after the heavy bracket the words "except as hereinafter provided in the case of stock life insurance companies in"; page 6, line 13, by inserting after the word "year" the words "and provided further that in the case of stock life insurance companies "net income" shall be the adjusted normal tax net income as returned to and ascertained by the federal government"; page 17, line 13, by inserting after the word "fifty-five" the following: "and provided further that in the case of stock life insurance companies the rate shall be one half of one per centum per annum on each dollar of the net income of such corporations received by and accruing to such corporations during the calendar years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where such a corporation reports to the federal government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case the rate shall be one half of one per centum per annum on net income received by and accruing to such corporations during the fiscal years commencing in the calendar years one thousand nine hundred fifty-three one thousand nine hundred fifty-four and one thousand nine hundred fifty-five."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Granville E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1021.

An Act to further amend the act aproved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackles trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 11, line 4 by inserting at the beginning of the line the words "two axle" before the word "Motor"; line 5, by inserting after the word "maximum" the following: "length of four hundred

twenty (420) inches and three axle motor buses and motor omnibuses shall not exceed a total maximum"; by inserting after line 12 the following: "provided further that any motor bus or motor omnibus operated on a route wholly within a municipality may with the consent of the municipality be of a total length not exceeding four hundred eighty (480) inches and any motor bus or motor omnibus operated on a regular route which traverses more than one political subdivision may with the approval of the Public Utility Commission be of a total length not exceeding four hundred eighty (480) inches".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—1

Moran,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1118.

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any foreign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint-stock associations

Amend Section 1, page 2, line 16, by inserting after the word "employed" the word "wholly" and by striking out on line 17 and 18 the words "during the calendar year one thousand nine hundred fifty-two or the fiscal year ending in one thousand nine hundred fifty-three" and inserting in lieu thereof the words "at any time prior to the first day of January one thousand nine hundred fifty-three by such corporations reporting on a calendar year basis or at any time prior to the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three by such corporations reporting on a fiscal year basis".

Amend Section 3, page 4, line 5 by striking out after the word "stating" the words "specifically as of the end of the preceding calendar or fiscal year"; line 9 by inserting after the word "the" the word "greatest"; line 10 by inserting after the word "capital" the word "actually", line 11 by inserting after the part-word "wealth" the following:

During the preceding calendar or fiscal year (6) the greatest amount of capital actually employed wholly within this Commonwealth at any time prior to the preceding calendar or fiscal year and (7) such other information as the department shall require for the purpose of this act

Page 5, line 3, by inserting after the word "year" the following: setting forth therein (1) the state or county in which incorporated or created (2) the date of incorporation or organization (3) the date it qualified or was issued a certificate of authority to do business in this Commonwealth (4) the name and address of its president or treasurer (5) the greatest amount of capital actually employed wholly within this Commonwealth during such calendar or fiscal year and (6) such other information as the department shall require for the purpose of this act

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,

Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Worley,
Fenrich,	Light,	Reidenbach,	Wood,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, O. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Watkins, Kline,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1119.

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 11, by inserting after the second word "the" the word "greatest"; line 13, by inserting after the word "or" the following: "upon which bonus has been theretofore paid under prior laws or upon which the excise tax has theretofore been paid under the provisions of this act".

Amend Section 3, page 7, line 18 by striking out after the word "has" the word "heretofore" and inserting in lieu thereof the word "theretofore" and by inserting after the word "bonus" the words "or the excise tax"; line 19 by striking out after the word "under" the word "price" and inserting in lieu thereof the word "the" and by striking out after the word "State" the words "or the excise tax under the provisions of this act".

Amend Section 6, page 13, line 5, by striking out at the beginning of the line the word "interest" and by striking out after the word "penalties" the words "imposed on" and inserting in lieu thereof the words "settled against any"; line 6 by inserting after the word "act" the words "including any interest due thereon"; line 8 by inserting after the word "corporations" the words "and partnerships"; line 9 by inserting after the word "of" the word "such"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,

Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE MEETINGS

BOROUGHS—Mr. Baumunk, Chairman, Room 324, Tuesday, July 14, at 10:30 a. m., DST.

CITIES—COUNTIES—FIRST—SECOND AND SECOND CLASS A—Mr. Ewing, Chairman, Room 521, Tuesday, July 14, at 11:15 a. m., DST.

CITIES—THIRD CLASS—Mr. Mikula, Chairman, Room 521, Tuesday, July 14, at 10:30 a. m., DST.

COUNTIES—Mr. Erb, Chairman, Room 323, Tuesday, July 14, at 12:30 p. m., DST.

HIGHWAYS—Mr. Royer, Chairman, Room 329, Tuesday, July 14, at 10:00 a. m., DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Tuesday, July 14, at 11:00 a. m., DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Tuesday, July 14, at 11:30 a. m., DST.

PUBLIC UTILITIES—Mr. Gibson, Chairman, Room 329, Tuesday, July 14, at 11:00 a. m., DST.

The Legislative Service Club will meet for breakfast in the Plantation Room—Penn Harris Hotel tomorrow morning at 8:45 a. m.

There will be a meeting of the Committee on Memorial Services immediately after today's session in Room 245.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GRANVILLE E. JONES asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

ADJOURNMENT

Mr. GEER. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 14, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 4:33 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, JULY 14, 1953. No. 65.

SENATE

TUESDAY, July 14, 1953.

The Senate met at 2:00 o'clock p. m., Eastern Standard Time.

By appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (John M. Walker) in the Chair.

The PRESIDING OFFICER. The Chair wishes to announce that he is presiding at the request and direction of the President pro tempore of the Senate.

PRAYER

The Chaplain, Rev. PHILIP SENFT, Pastor of Trinity Evangelical and Reformed Church, Everett, offered the following prayer:

Thou Who are the guardian of the ways of men, Whose footsteps have always been familiar in the halls of law, we pray that the Members of this Senate may be servants of Thy will even before that of the people they represent, that the decisions here made may be wise for this day as well as prophetic in anticipation of the needs of tomorrow.

To Thee, Father Eternal, we pray, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. WOOD, for today's Session because of pressing business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Leroy Firestone, Route No. 1, Lititz, Lancaster County, for appointment as Justice of the Peace in and for the Township of Warwick, Lancaster County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John D. Ball, 30 North York Road, Willow Grove, Montgomery County, for appointment as Justice of the Peace in and for the ownship of Upper Moreland, Montgomery County, until the first Monday of January 1956, vice Edward J. Leonard, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Francis J. Pitzpatrick, Jr., 659 Beech Avenue, Glenolden, Delaware County, for appointment as Justice of the Peace in and for the Township of Darby, Delaware County, until the first Monday of January 1954, vice Maurice J. DiLuzio, resigned.

JOHN S. FINE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 63, PRINTER'S No. 172

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 63, Printer's No. 172, entitled "An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws 624) entitled as amended "An act relating to the business of banking and to the exercise of

fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' by further providing for authorized investments of savings banks."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 258, PRINTER'S No. 240

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved the signed Senate Bill No. 258, Printer's No. 240, entitled "An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (Pamphlet Laws 457) (No. 108) entitled 'An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts' by redefining the term share certificate and further providing for the issuance and preservation of share certificates."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 259, PRINTER'S No. 211

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 259, Printer's No 211, entitled "An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (Pamphlet Laws 457) (No. 108) entitled 'An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by the foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts' by further defining and limiting the rights powers duties liabilities and imumnities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 260, PRINTER'S No. 212

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 260, Printer's No. 212, entitled "An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 746) entitled 'An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustees' by further providing for the issuance of share accounts to minors and validating their acquittances."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 324, PRINTER'S No. 300

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 324, Printer's No. 300, entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 349, PRINTER'S No. 120

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 349, Printer's No. 120, entitled "An Act to further amend the act aprpoved the seventeenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1092) entitled 'An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws' by further regulating contracts and funds of such societies."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 525, PRINTER'S No. 243

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 525, Printer's No. 243, entitled "An Act to amend the title and Subsection (H) of Section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (Pamphlet Laws 654) entitled 'An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties' by providing for protection against radiation."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 535, PRINTER'S No. 301

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No 535, Printer's No 301, entitled "An act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (Pamphlet Laws 1368) entitled 'An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws' by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 589, PRINTER'S No. 249

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 589, Printer's No. 249, entitled "An Act to further amend Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (Pamphlet Laws 84) entitled 'An act to fix the fees to be charged by coroners in counties of the second class' by increasing fees to be charged."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 597, PRINTER'S No. 252

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 597, Printer's No. 252, entitled "An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (Pamphlet Laws 596) entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' by extending the benefits to certain authorities created by such cities."

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WOLFE. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on July 14, 1953.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

John H. Dicoskey, East Pittsburgh.

BERKS COUNTY

Miss Bernice J. Cate, Reading.
Herald L. Ebling, Muhlenberg Twp., Reading.

BUCKS COUNTY

Mrs. Anne H. Dunn, Tullytown, Levittown.
Mrs. Emma D. Marron, Middletown Twp., Langhorne.

CHESTER COUNTY

Mrs. Anna L. Falcone, Tredyffrin, Twp., Strafford, Wayne.

DAUPHIN COUNTY

Luther W. Hose, Harrisburg.

MERCER COUNTY

Robert W. Ely, Mercer.

MONROE COUNTY

E. H. Taylor, Jr., Stroudsburg.

PHILADELPHIA COUNTY

Howard M. Fermen, 239 N. 58th St. (39).
Mrs. Laura Lee Smith, 4719 Oxford Ave. (24).

WASHINGTON COUNTY

Miss Marion E. Coleman, Monongahela.

JOHN S. FINE.

A motion was made by Mr. WOLFE and Mr. MADIGAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1, entitled:

An Act providing for a revision or amendment of the Constitution of Pennsylvania with certain limitations by a constitutional convention and a vote of electors; and providing for the nomination and election of delegates.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1

Mr. MAHANY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 116, entitled:

An act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 952, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for filling of vacancies in certain offices and for notice and publication of fire protection codes and ordinances authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds increasing the criminal jurisdiction of the mayor as an alderman authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising authorizing certain street construction and improvement by city employes and the sale of real estate by the city at public sale providing for payment by the city of certain costs in connection with shade trees and further regulating purchases and contracts

Which was committed to the Committee on State Government.

House Bill No. 1218, entitled:

An Act to reenact and further amend Section 220 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by increasing the resident fishing license fee.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1259, entitled:

An Act to add subsection (f) to Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for certain commitments by petition.

Which was committed to the Committee on Judiciary General.

House Bill No. 1290, entitled:

An Act to further amend section 706 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the state government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department boards commission and officer of the state government and every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every state depository and every debtor or creditor of the Commonwealth" by clarifying the provisions thereof relating to the filing of bonus reports and the payment of bonus by foreign corporations limited partnerships and joint-stock associations and by providing for the filing of excise tax reports and the payment of such tax by foreign corporations limited partnerships and joint-stock associations.

Which was committed to the Committee on Judiciary General.

House Bill No. 1311, entitled:

An Act to further amend Section 731 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by permitting public inspection of distributors' monthly liquid fuels tax reports with certain exceptions.

Which was committed to the Committee on State Government.

House Bill No. 1321, entitled:

An Act to amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by transferring to the juvenile courts powers and duties relating to parolees of the Pennsylvania Training School at Morganza.

Which was committed to the Committee on Judiciary General.

House Bill No. 1322, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by transferring to the juvenile court powers and duties relating to parolees of the Pennsylvania Training School at Morganza.

Which was committed to the Committee on Judiciary General.

House Bill No. 1324, entitled:

An Act to further amend Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fishing in streams whether stocked with trout or not during closed season

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1363, entitled:

An Act to amend sections one and three of the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarter sessions" by limiting jurisdiction over juveniles in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 1393, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third

class andamending revising and consolidating the law relating thereto" by authorizing the appointment of a deputy city treasurer and prescribing his powers and duties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1480, entitled:

An Act to amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidated amend and revise the penal laws of the Commonwealth" by making it a felony for any person undergoing imprsonment to participate in any riot rout assembly or affray and fixing the penalty therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1481, entitled:

An Act to add section seven hundred ten point one to the act approved the twenty fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any person sentenced for any term to commit an assault by any means likely to produce great bodily injury and fixing the penalty therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1510, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 0.1959 acres more or less of land in the township of Limerick Montgomery County Pennsylvania with the approval of the Governor.

Which was committed to the Committee on State Government.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 435, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 435, entitled:

An Act to add section 308 to the act, approvel the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township.

and has appointed Messrs. LIPPINCOTT, HOCKER and LOPRESTI as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

SENATE BILL No. 479, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth lay of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" by permitting the receipt in evilence without certification of printed copies of schedules and classifications and tariffs of rates fares and charges and supplements thereto filed with any Federal Regulatory Commission.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on tomorrow's Calenlar.

SENATE BILL No. 624 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers farehouses receipts bills or lading other documents of title investment securities and secured transactions including certain sales of accounts chattel papers and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto by adding a sub-section to Section 9-104 thereof excluding from the application of Article 9 of the Act assignments or other transfers of interest or claims in or under any policies of insurance

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on tomorrow's Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 811

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 811, entitlel:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "Corporate Net Income Tax Act," by extending the provisions of the act for a further limitel period of time.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1021

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1021, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further regulating size and weight of buses.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1118

He also presented communication from the House of

Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1119

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships; providing for the computation, payment, assessment, settlement and resettlement of the tax, and reviews and appeals therefrom; conferring powers, and imposing duties on certain persons, corporations and certain partnerships, State officers, boards and departments; requiring certain reports; creating a lien for unpaid tax; imposing penalties; and repealing certain acts relating to corporations and certain partnerships.

HOUSE CONCURS IN SENATE BILL No. 83

He also returned to the Senate, Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg Dauphin County Pennsylvania with the approval of the Governor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 360

He also returned to the Senate, Senate Bill No. 360, entitled:

An Act to further amend section two hundred forty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolilating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for additional complimentary fishing licenses.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 616

He also returned to the Senate, Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres more or less situate in Skippack Township Montgomery County Pennsylvania with the approval of the Governor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 618

He also returned to the Senate, Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case" by making it unnecessary to take an execption to the ruling of a trial judge on the admission or exclusion of testimony.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 659

He also returned to the Senate, Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitlel "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that writ of certiorari shall not be a supersedeas unless bond is filed and clarifying provisions as to require lapse of time before the issuance of notice of forcible ejectment.

with the information that the House has passed the same without amendments.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary General, reported as committed House Bill No. 213, entitled:

An Act to further amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws," by extending the scope of local option to include granting of importing distributors' licenses permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances

He also, from the Committee on Judiciary General, reported as committed House Bill No. 549, entitled:

An Act to amend Section 3 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by fixing the time for payment of costs of aldermen and justices of the peace by counties.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 550, entitled:

An Act to further amend Section 1 of the act approvel the eleventh day of May one thousand eight hundred

seventy-four (P. L. 132) entitled "An act relating to payment of costs in cases of felony" by fixing time for payment of costs of aldermen and justices of the peace payable by counties.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 602, entitled:

An Act prohibiting any alderman, justice of the peace or constable from soliciting collection business and providing penalties for violations.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 641, entitled:

An Act to further amend subsection (e) of Section 628 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the fees for registration of firearms.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 718, entitled:

An Act to amend Section 638 of the act, approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by authorizing the exposure of poison to rodents and other pests under certain conditions; and conferring powers and imposing duties upon the Secretary of Agriculture.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 762, entitled:

An Act authorizing and empowering the Superior Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Superior Court of Pennsylvania.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 779, entitled:

An Act to further amend the act, approved the second day of May, one thousand eight hundred eighty nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by further defining property, property subject to escheat and beneficial owner; conferring jurisdiction upon certain courts, providing for procedure, and permitting the joinder of items in escheat proceedings.

He also, from the Committee on Judiciary General, reported as committed Senate Bill 785, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds, therefore providing for payment of such bonds and prescribing the right of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing that an Authority shall have the power to construct structures to provide for the elimination of grade crossings under certain terms and conditions and subject to approval of the Pennsylvania Public Utility Commission; authorizing agreements for the transfer to the Authority of title to land or to the structures built or constructed and for the leasing thereof to the Utility or political subdivision involved.

He also, from the Committee on Judiciary General, reported as commtted House Bill No. 850, entitled:

An Act empowering a court in which is pending an action on behalf of the estate of a decedent to make an order approving a compromise or settlement of such action and to approve an agreement for counsel fees and other proper expenses incident to such action and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases

He also, from the Committee of Judiciary General reported as amended House Bill No. 865, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1017, entitled:

An Act to further amend Section 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by further providing for serving of notice of sale when notice cannot be served by mail.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1187, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title bulk sales and security interests

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1188, entitled:

An Act to further amend Section 3 of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1220, entitled:

An Act adopting the Scribner log rule as the standard log rule for determining the board foot content of saw logs.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1299, entitled:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys the use benefit enjoyment or control of which would not be available to certain non-resident beneficiaries entitled thereto and providing remedies to such beneficiaries under certain conditions

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed Senate Bill No. 286, entitled:

A Joint Resolution proposing amendment to article sixteen, section seven, of the Constitution of the Commonwealth of Pennsylvania to delete the requirement that stock indebtedness of private corporations may not be increased without stockholders' consent obtained at a meeting held after sixty days' notice.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed Senate Bill No. 775, entitled:

A Joint Resolution proposing an amendment to section twelve, article three, of the Constitution of the Commonwealth of Pennsylvania, providing for the purchasing of stated commodities in such manner as may be prescribed by law, and authorizing use of an escalation clause.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed Senate Bill No. 782, entitled:

A Joint Resolution proposing an amendment to section eleven, article three of the Constitution of the Commonwealth of Pennsylvania, by providing that the Legislature may authorize increases in retirement allowances or pensions of employes who are members of a retirement or pension system, now, or hereafter, enacted by the Commonwealth, its political subdivisions, agencies or instrumentalities.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 1296, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

Mr. KOPRIVER, Jr., from the Committee on Local Government, re-reported as amended Senate Bill No. 361, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," by increasing certain fees and creating new fees.

He also, from the Committee on Local Government, re-reported as amended Senate Bill No. 362, entitled:

An Act to further amend Section 1 of the act, approved the sixth day of May, one thousand eight hundred seventy-four (P. L. 125), entitled "An act regulating State tax on certain county offices," by increasing the maximum amount of fees that prothonotaries and clerks of courts may retain.

He also, from the Committee on Local Government, re-reported as amended Senate Bill No. 363, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

He also, from the Committee on Local Government, re-reported as amended Senate Bill No. 364, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

He also, from the Committee on Local Government, re-reported as amended Senate Bill No. 365, entitled:

An Act providing for filing in the prothonotary's office of letters of attorney, authorizing acts related to instruments or judgments filed therein and revocations thereof; the establishment of a letter of attorney docket, and certifying copies and their admissibility in evidence; and prescribing fees and penalties.

He also, from the Committee on Local Government, re-reported as amended Senate Bill No. 366, entitled:

An Act to further amend Section 10 of the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by increasing the filing fee of conditional sales contracts in the prothonotary's office.

He also, from the Committee on Local Government, re-reported as amended Senate Bill No. 367, entitled:

An Act to further amend Section 9 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgagese on any chattel or chattels of any kind of description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; describing the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by increasing the filing fee for chattel mortgages in the prothonotary's office.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 445, entitled:

An Act to carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania and to supplement the First Class City Home Rule Act approved April twenty-one one thousand nine hundred forty-nine (P. L. 665) by vesting in the Council of the City of Philalelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain officers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished altering the term of the District Attorney of Philadelphia and establishing the status of the Sheriffs. City Commissioners, Board of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission.

He also, from the Committee on Local Government, re-reported as committed Senate Bill No. 503, entitled:

An Act prescribing the fees to be received by the

clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

He also, from the Committee on Local Governmen re-reported as committed Senate Bill No. 504, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh and eighth class.

He also, from the Committee on Local Governmen reported as amended Senate Bill No. 577, entitled:

An Act to further amend section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by limiting to forty hours the work week of police officers except in emergencies.

He also, from the Committee on Local Governmen reported as committed Senate Bill No. 645, entitled:

An Act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth class.

He also, from the Committee on Local Governmen reported as committed Senate Bill No. 765, entitled:

An Act to amend Section 4353 of the act, aproved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by prohibiting person employed by authorities from receiving pensions from a city pension fund.

He also, from the Committee on Local Governmen reported as amended Senate Bill No. 780, entitled:

An Act to add subsection (d) to section 4 of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by authorizing Pension Boards of cities of the second class to make annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries

Mr. MADIGAN, from the Committee on Agricultur reported as amended Senate Bill No. 656, entitled:

An Act to further amend the act, approved the twenty fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by regulating the sale of certain seeds.

Mr. PROPERT, from the Committee on Insurance, reported as amended Senate Bill No. 590, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurnace rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto a new Article VII relating to title insurance defining and providing for the organization of title insurance companies the regulation and supervision of title insurance and the title insurance business of bank and trust companies trust companies or other corporations prohibiting the transaction of the business of title insurance except by title insurers as defined providing for the regulation of title insurance underwriters as defined prescribing the terms and conditions upon which foreign title insurance companies may be admitted or may continue to do a title insurance business within the Commonwealth conferring powers and duties upon the Insurance Commissioner and the Banking Department with respect thereto prescribing fees imposing penalties and repealing certain acts and parts of acts relating to title insurance companies and the business of title insurance

He also, from the Committee on Insurance, re-reported as amended Senate Bill No. 591, entitled:

An Act relating to the regulation of rates for title insurance which may be charged by title insurance companies both domestic and foreign banks and trust companies or trust companies having the power to make title insurance and title insurance underwriters to rating organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and enforcing the provisions of this act prescribing and regulating the practice and procedure before the Insurance Commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for the enforcement thereof, repealing the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 538) insofar as it applies to title insurance repealing inconsistent acts and continuing existing filings and proceedings.

Mr. KESSLER, from the Committee on Labor and Industry, reported as amended Senate Bill No. 622, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by making editorial corrections; increasing compensation payable to minors in certain cases and making an appropriation to pay physicians and surgeons appointed by board or referee to make examinations.

He also, from the Committee on Labor and Industry, reported as committed House Bill No. 1224, entitled:

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating special funds in the custody of the State

Treasurer; and prescribing penalties, by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions, for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

He also, from the Committee on Labor and Industry, reported as committed House Bill No. 1225, entitled:

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency the Governor:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Hanna, 918 Brackenridge Avenue, Brackenridge, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Brackenridge, Allegheny County, until the first Monday of January 1956, vice John Arnold, deceased.

JOHN S. FINE.

MEMBERS OF PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Philadelphia County Board of Assistance:

Charles D. Smeltzer, Esq. (Republican), 4907 North Marvine Street, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Louis Glazer, Philalelphia, resigned.

Joseph W. Wood (Republican), 364 Green Lane, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Eugene Y. Allen, Philadelphia, deceased.

Curtis R. Smith (Republican), 1114 Harrison Street, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

Mr. HARNEY read in place and presented to the Chair Senate Bill No. 791, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire two tracts of land, together with the improvements thereon erected, in Susquehanna Township, Dauphin County, Pennsylvania, consisting of approximately six acres, for use of the State Farm Products Show Commission, and making an appropriation.

Which was committed to the Committee on State Government.

Mr. KESSLER read in his place and presented to Chair Senate Bill No. 792, entitled:

An Act to add Section 2403.1 to Article XXIV of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Secretary of property and Supplies to appoint committees and employ consultants to review and advise the Secretary on specifications and purchases.

Which was committed to the Committee on State Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 793, entitled:

An Act authorizing boroughs and townships to acquire Federal housing projects and the land upon which they are constructed.

Which was committed to the Committee on Labor and Industry.

Mr. YOSKO read in his place and presented to Chair Senate Bill No. 794, entitled:

A Joint Resolution proposing an amendment to article ten of the Constitution of Pennsylvania by adding thereto a new section.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

RESOLUTIONS REFERRED TO COMMITTEE

URGING THAT ELEVATORS SERVING THE LEGISLATIVE HALLS BE PUT INTO PROPER REPAIR OR REPLACED WITH MODERN ELEVATORS

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, July 14, 1953.

Because the elevators serving the legislative halls are too often out of order

Be It Resolved that said elevators be put into proper repair or be replaced with modern elevators upon adjournment of the legislature.

Be It Further Resolved that a copy of this resolution be forwarded to the Governor and the Secretary of Property and Supplies.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER Is there objection?

Mr. MAHANY. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on State Government.

MEMORIALIZING CONGRESS TO ADOPT PROPOSAL RELATIVE TO THE ESTABLISHMENT OF A NATIONAL NONPARTISAN COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, July 14, 1953.

Whereas, there is now pending before the United States Senate bills sponsored by the Senators Taft of Ohio, Hendrickson of New Jersey, and Humphrey of Minnesota, relative to the establishment of a Nation Nonpartisan Commission on Intergovernmental Relations, and

Whereas, it is the purpose of this commission to study and examine all aspects and phases of National, State, and local governments with special attention to the serious fiscal problems which confront governments at all levels, and

Whereas, under the provisions of the proposed legislation, a commission of 25 members is to be appointed giving representation to all parties at interest, both public and private, Federal, State and local; legislative and executive, and where necessary, judicial, and

Whereas, the President of the United States, the Honorable Dwight D. Eisenhower, in his Message to Congress said in part:

The present division of activities between Federal and State Governments, including their local subdivisions, is the product of more than a century and a half of piecemeal and often haphazard growth. This growth in recent decades has proceeded at a speed defying order and efficiency. One program after another has been launched to meet emergencies and expanding public needs. Time has rarely been taken for thoughtful attention to the effects of these actions on the basic structure of our Federal-State system of government,

The maintenance of strong, well-ordered State and local governments is essential to our Federal system of government. Lines of authority must be clean and clear, the right areas of action for Federal and State Governments plainly defined. This is imperative for the efficient administration of governmental programs in the fields of health, education, social security, and other grants-in-aid areas.

Therefor be it resolved that the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to adopt the proposal indicated herein, to the end that the Commission on Intergovernmental Relations can solve and properly recommend the allocation of functions to be administered by governments on all levels, and thus possibly eliminate the present confused system of taxation, as well as reduce total governmental expenditures consistent with the efficient performance of essential services, activities, and functions.

And be it further resolved, That copy of this resolution be transmitted to the President of the United States, to the Majority and Minority Leaders of the Congress and United States Senate, to the Presiding Officers of both Houses and to the Members of Congress and the United States Senate from the Commonwealth of Pennsylvania.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. MAHANY. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Constitutional Changes and Federal Relations.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. SNOWDEN,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The Clerk read the nominations as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Hanna, 918 Brackenridge Avenue, Brackenridge, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Brackenridge, Allegheny County, until the first Monday of January 1956, vice John Arnold, deceased.

JOHN S. FINE.

MEMBERS OF PHILADELPHIA COUNTY BOARD OF ASSISSTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following

persons for appointment as members of the Philadelphia County Board of Assistance:

Charles D. Smeltzer, Esq. (Republican), 4907 North Marvine Street, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Louis Glazer, Philadelphia, resigned.

Joseph W. Wood (Republican), 364 Green Lane, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Eugene Y. Allen, Philadelphia, deceased.

Curtis R. Smith (Republican), 1114 Harrison Street, Philadelphia, to serve until December 31, 1954, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. TAYLOR,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Yosko,
Fleming,	Mahany,	Snowden,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska	McCreesh,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. FLEMING. Mr. President, I as kunanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Highways, to which was referred resolution offered by Mr. Kopriver, Jr., on July 13, 1953 reported the same without amendment as follows:

URGING THAT THE MONONGAHELA TRAIL BE DEDICATED AS A MEMORIAL HIGHWAY

In the Senate, July 13, 1953.

The old Monongahela Trail in western Pennsylvania has been a part of the history and development of our State since the first Indian tribes moulded it out of the wilderness;—The Monongahela Trail that travels along the greatest Valley in the World through the heart of America. During the early 18th century thousands of Americans moved down the Monongahela River by barge to the great Ohio River at the point in Pittsburgh. On this trail is found the point where General Edward Braddock was mortally wounded during the French and Indian War, the headquarters used during the Whiskey Rebellion; the place where the first inland steamboat was built; and the place where the Flagship of the Texas Navy was built. It passes the famous point in Pittsburgh, the site of historic Fort Duquesne. It follows the Monongahela Rivers, which carry more tonnage in water freight each year than either the Panama or Suez Canals. It winds through the greatest industrial area in the world, the steel capitol of the world, one of the greatest Glass manufacturers and one of the most famous coal mining areas of the world.

The Monongahela Trails pass the trail to the Ten Mile Creek at Rices Landing in Greene County and travels through one of the most beautiful sections of Pennsylvania, where nature's splendor rivals the scenery of any part of the world, and provides a stunning contrast to the developments of men. It is an area where the majestic hills of Pennsylvania display a magnificence that fills the beholder with awe.

It is tragic that thousands of people travel the Monongahela Trail unaware that they are surrounded by history and a tradition of honest hard labor and devotion to God and Country that is surpassed no where in the world; therefore be it

Resolved (if the House of Representatives concur), That the old Monongahela Trail starting at the great Point on the south side of the Monongahela River across from Fort Duquesne, the great Gateway to the West; thence up through the south side of the City of Pittsburgh on up the Valley through West Homestead, Homestead, Munhall, Whitaker, West Mifflin City of Duquesne, Dravosburg, City of Clairton, West Elizabeth, Jefferson, Elrama in Allegheny County; thence up the Valley through New Eagle City of Monongahela, Donora, North Charleroi, Charleroi, Spears, Allenport, Stockdale, Roscoe, Elko Coal Center California, West Brownsville, Vesta, Fredericktown, Millsboro in Washington County, thence up the Valley to Rices Landing in Greene County on to Crucible, Jacobs-Ferry, Nemacoln, Greensboro, Poland; thence to the West Virginia State Line, be dedicated as a memorial highway in commemoration of the many contributions to the progress of America, made in this valley by people of this Valley; and be it further

Resolved, That the Department of Highways shall erect along said highways, suitable tablets or markers and shall carry out suitable landscape development to perpetuate this resolution, but shall not replace or change the officially designated route numbers or names or markers thereof of any highway included in the Monongahela Trail.

Laid over for one day under the Rules.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of holding meetings of the Committees on Mines and Mining, Education and Banking.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL INTRODUCED AND REFERRED

Mr. PECHAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN read in place and presented to the Chair Senate Bill No. 795, entitled:

nA Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by substituting approval of the court of common pleas and the Superintendent of Public Instruction for approval of State Council of Education before creation or affecting boundaries of third and fourth class districts.

Which was committed to the Committee on Education.

REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, re-reported as amended Senate Bill No. 402, entitled:

An Act relating to agreements leases and other instruments granting anthracite rights made or joined in by political subdivisions providing for approval by the Secretary of Mines under certain conditions and rendering them otherwise void providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions or of a taxpayer of such

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Mines and Mining, reported as committed Senate Bill No. 758, entitled:

An Act to further amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further providing for the appointment tenure and duties of bituminous mine inspectors.

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on Mines and Mining, reported as committed Senate Bill No. 759, entitled:

An Act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines and making an appropriation.

Mr. MILLER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER, from the Committee on Education, reported as amended House Bill No. 57, entitled:

An Act to add Section 709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts to lease unused and unnecessary lands and buildings.

He also, from the Committee on Education, reported as amended Senate Bill No. 69, entitled:

An Act establishing minimum compensation and increments for administrators and members of the faculty of certain State-owned schools and imposing duties on the Boards of Trustees of such schools and the Superintendent of Public Instruction.

He also, from the Committee on Education, reported as amended Senate Bill No. 575, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for vocational education through area technical schools; conferring powers and imposing duties on school directors, county superintendents and county boards of school directors; increasing the membership of the board in counties of the second class; and providing for reimbursements by the Commonwealth.

He also, from the Committee on Education, reported as committed House Bill No. 672, entitled:

An Act to further amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for State payments to approved sublessees.

He also, from the Committee on Education, reported as committed House Bill No. 772, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district, and the basis for Commonwealth reimbursements on account of courses for such children.

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. MILLER, from the Committee on Education, to which was referred resolution offered by Messrs. Kessler and Wagner, on July 13, 1953, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A THOROUGH AND COMPREHENSIVE STUDY OF PUBLIC SCHOOLS OF THIS COMMONWEALTH

In the Senate, July 13, 1953.

Whereas, Appropriations for public school subsidies have represented an increasingly large portion of total appropriations from the General Fund of the Commonwealth; and

Whereas, The sum of $358,000,000 for "support of public schools" is recommended by the Governor in his budget for the biennium 1953-55; and

Whereas, It is estimated that $630,000,000 will be required for Commonwealth subsidies for "support of public schools" for the biennium 1959-61; and

Whereas, These figures do not include substantial amounts which will be required for appropriations on account of school employes' retirement and school building rentals; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to make a thorough and comprehensive study of the public schools of this Commonwealth, such study to include, but not to be confined to, the following:

1. State and local support of the public schools, with particular emphasis on Commonwealth subsidies for school building rentals and closed schools

2. Administration of the public schools on the local level, with particular emphasis upon the administrative relationships between districts under district superintendents and districts under county superintendents

3. Curricula of both elementary schools and high schools, and the methods and criteria employed in connection with the promotion of pupils; and be it further

Resolved, That the Joint State Government Commission shall, from time to time, report the findings of its continuing study to the General Assembly.

Laid over for one day under the Rules.

REPORT FROM COMMITTEE

Mr. BANE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BANE, from the Committee on Mines and Mining, reported as committed House Bill No. 506, entitled:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting shotfirers to carry approved electric lamps and further prescribing his duties.

SENATE RESOLUTION REPORTED FROM COMMITTEE

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Mines and Mining, to which was referred resolution offered by Mr. Letzler, on July 6, 1953, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO APPOINT A COMMITTEE TO MAKE A COMPLETE AND LONG RANGE STUDY OF METALLIC AND NONMETALLIC MINERAL DEPOSITS

In the Senate, July 6, 1953.

Whereas, The Commonwealth of Pennsylvania was first among the states in the production of minerals during the years 1911 through 1945; and

Whereas, Production of minerals in Pennsylvania in relation to other states has been declining in recent years; and

Whereas, Many of our mineral deposits are of low grade, their location is such that the cost of their extraction from the earth is prohibitive or their location is unknown; and

Whereas, 700,000 persons employed in the extracting and processing of minerals as well as the entire population of this Commonwealth is dependent upon an economically sound program of utilizing to the maximum degree the vast mineral resources of this State; and

Whereas, This can be accomplished by continuous research in developing processes and equipment for extracting low grade but very valuable mineral deposits at a minimum of expense; therefore be it

Resolved, That a continuing committee be appointed in the Joint State Government Commission to make a long range study of and do extensive research in—

(1) Determining methods for locating and actually locating and estimating the size of metallic and non-metallic mineral deposits.

(2) The utilization of low grade coal, manganese and iron ore and other minerals.

(3) Processes from transforming minerals from a solid to a liquid or gaseous state before or after they have been extracted.

(4) Methods for economical transportation of minerals.

(5) Technological methods for extracting and processing the mineral wealth of this State on a sound economic basis; and be it further

Resolved, That the Joint State Government Commission is authorized to appoint on said committee and to employ eminent engineers, geologists, chemists and other specialists who are leaders in their fields that they may deem necessary to carry on the necessary research as herein set forth; and be it further

Resolved, That a report of the results of the study and research, together with recommendations, be made by the commission to the Governor annually, and to the General Assembly at each regular legislative session.

Laid over for one day under the Rules.

BILL INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 796, entitled:

An Act to further amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for research and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by providing for the issuance of restaurant wine licenses.

Which was committed to the Committee on Law and Order.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm pond licenses, regulating the use of such ponds and the terms of such licenses, and prescribing penalties.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 96

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 96.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 576, Prinaer's No. 393, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 752

Mr. YOSKO. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 752 entitled:

An Aact to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments, boards and commissions.

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. YOSKO. Mr. President, I voted with the prevailing side.

Mr. MAHANY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in certain administrative departments boards and commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred fourteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-one (P. L. 21) is hereby further amended as follows

Section 214 Employment and Compensation of Directors Bureau Chiefs and other Employes Except as otherwise provided in this section and in the Civil Service Act the heads of the several administrative departments except the Auditor General State Treasurer and the Secretary of the Department of Internal Affairs and the independent administrative boards and commissions shall appoint and fix the compensation of such directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants and employes as may be required for the proper conduct of the work of their respective departments boards or commissions Except as otherwise provided in this act

the heads of the respective administrative departments shall appoint and fix the compensation of such clerks stenographers and other assistants as may be required for the proper conduct of the work of any departmental administrative bodies boards commissions or officers and of any advisory boards or commissions established in their respective departments

The Governor shall have the power and authority to appoint and fix the compensation of a comptroller in each administrative department except the Department of the Auditor General Treasury Department and the Department of Internal Affairs and in each independent administrative board and commission together with all accountants auditors clerks stenographers bookkeepers and other assistants and employes as may be required for the proper conduct of the work of the comptroller in such department board or commission All comptrollers and other related employes so appointed shall succeed to the functions and duties of the respective comptrollers and related employes theretofore appointed by the heads of such departments boards and commissions and shall be under and subject to the direct regulation supervision and control of the Governor or such employe in his office as he may designate for that purpose The compensation of all comptrollers and other related employes shall be paid out of appropriations made to the respective departments boards or commissions in which they exercise their functions and duties

Except as otherwise provided in this section and in the Civil Service Act the number and compensation of all employes appointed under this section shall be subject to the approval by the Governor and after the Executive Board shall have fixed the standard compensation for any kind grade or class of service or employment the compensation of all persons in that kind grade or class appointed hereunder shall be fixed in accordance with such standard

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title, by inserting after "To": "further"; amend Title, page 2, last 3 lines of Title, by striking out "by authorizing the Governor to appoint and fix" in the 3rd from last line and all of the last two lines and inserting in lieu thereof: "by creating the Department and Office of the State Comptroller and defining their powers and duties; changing certain powers and duties of the Governor and of the various departments, boards, commissions and officers, and providing for the transfer of certain employes from the Department of the Auditor General to the Department of the State Comptroller."

Amend Sec. 1, page 2, line 1, by striking out "two hundrd fourteen" and inserting in lieu of: "201"; amend Sec. 1, page 3, line 15 and 16, by striking out both of said lines; amend Sec. 1 (Sec. 214),page 3, lines 17, 18 and 19, by striking out all of said lines; amend Sec. 1 (Sec. 214), page 4, lines 1 to 19 inclusive, by striking out all of said lines; amend Sec. 1 (Sec. 214), page 5, lines 1 to 18, inclusive, by striking out all of said lines; Amend Sec. 1 (Sec. 214), page 6, lines 1 and 2, by striking out both of said lines and inserting in lieu thereof: "act approved the twenty-fifth day of April, one thousand nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows:

"Section 201. Executive Officers, Administrative Departments, and Independent Administrative Boards and Commissions.—The executive and administrative work of this Commonwealth shall be performed by the Executive Department, consisting of the Governor, Lieutenant Governor, Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, Secretary of Internal Affairs, and Superintendent of Public Instruction; by the Executive Board, and the Pennsylvania State Police; by the following adminisrtative departments: Department of State, Department of Justice, Department of the Auditor General, Treasury Department, Department of Internal Affairs, Department of Public Instruction, Department of Military Affairs, Insurance Department, Department of Banking, Department of Agriculture, Department of Forests and Waters, Department of Mines, Department of Highways, Department of Health, Department of Labor and Industry, and Department of Welfare, Department of Property and Supplies, Department of Revenue, Department of Public Assistance, [and] Department of Commerce, and Department of the State Comptroller; and by the following independent administrative boards and commissions: Pennsylvania Game Commission, Pennsylvania Fish Commission, State Civil Service Commission, Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission.

"All of the provisions of this act, which apply generally to administrative departments, or generally except to the Department of the Auditor General and the Treasury Department, shall apply to the Executive Board and to the Pennsylvania State Police."

Amend Sec. 2, page 6, lines 3 and 4 by striking out both of said lines and inserting in lieu thereof: "Section 2. Section 206 of said act, as last amended by the act, approved the tenth day of May, one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows:

"Section 206. Department Heads.—Each adminstrative department shall have as its head an officer who shall, either personally, by deputy, or by the duly authorized agent or employe of the department, and subject at all times to the provisions of this act, exercise the powers and perform the duties by law vested in and imposed upon the department.

"(a) The following officers shall be the heads of the administrative departments following their respective titles:

"Secrteary of the Commonwealth, of the Department of State;

"Attorney General, of the Department of Justice;

"Auditor General, of the Department of the Auditor General;

"State Treasurer, of the Treasury Department;

"Secretary of Internal Affairs, of the Department of Internal Affairs;

"Superintendent of Public Instruction, of the Department of Public Instruction;

"Adjutant General, of the Department of Military Affairs;

"Insurance Commissioner, of he Insurance Department;

"Secretary of Banking, of the Department of Banking;

"Secretary of Agriculture, of the Department of Agriculture;

"Secretary of Forests and Waters, of the Department of Forests and Waters;

"Secretary of Mines, of the Department of Mines;

"Secretary of Highways, of the Department of Highways;

"Secretary of Health, of the Department of Health;

"Secretary of Labor and Industry, of the Department of Labor and Industry;

"Secretary of Welfare, of the Department of Welfare;

"Secretary of Property and Supplies, of the Department of Property and Supplies;

"Secretary of Revenue, of the Department of Revenue;

"Secretary of Public Assistance, of the Department of Public Assistance;

"Secretary of Commerce, of the Department of Commerce;

"State Comptroller of the Department of the State Comptroller.

"Section 3. Section 207 of said act, as last amended by the act approved the eighteenth day of February, one thousand nine hundred forty-nine (P. L. 16) and as amended in part by the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows:

"Section 207. Appointment.—The Governor shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate appoint:

"(a) The Secretary of the Commonwealth, the Attorney General, the Superintendent of Public Instruction, the Adjutant General, the Insurance Commissioner, the Secretary of Banking, the Secretary of Agriculture, the Secretary of Forests and Waters, the Secretary of Mines, the Secretary of Highways, the Secretary of Health, the Commissioner of the Pennsylvania State Police, the Secretary of Labor and Industry, the Secretary of Welfare, the Secretary of Property and Supplies, the Secretary of Revenue, the Secretary of Public Assistance, the Secretary of Commerce, the State Comptroller, and the members of all independent administrative boards and commissions.

"The Adjutant General may have the rank of Major General of the Adjutant General's Department in the Pennsylvania National Guard, or Pennsylvania Guard, or the Governor may designate the ranking line officer of the Pennsylvania National Guard, or Pennsylvania Guard, or an officer of the Regular Army, United States Navy, United States Coast Guard or United States Marine Corps, as Adjutant General: Provided, That should the ranking line officer be also appointed Adjutant General, he shall receive only the salary provided by law for the Adjutant General: And provided further, That should the ranking line officer be called into the service of the United States, a Deputy Adjutant General, to be designated by the Governor, shall act as Adjutant General during his absence. No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard, Pennsylvania Guard, or equivalent length of service in the Regular Army of the United States, United States Navy, United States Coast Guard, or United States Marine Corps, or officers Reserve Corps of the United States Army, United States Navy Reserve, United States Coast Guard Reserve, or United States Marine Corps Reserve, which service may be cumulative, that is, service in any one or more of the foregoing services may be added together.

"The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed.

"The State Comptroller shall be a citizen of the United States, shall be at least thirty-five years of age at the time of his appointment and shall have been a resident of Pennsylvania for at least two years immediately preceding his appointment. The State Comptroller shall have had wide technical and administrative experience in accounting. He shall not be eligible to hold any other publice officer during the period of his term of office.

"(b) Except as in this act otherwise provided, the members of all departmental administrative bodies, boards, and commissions, and the officers who shall fill the departmental administrative offices mentioned in this article.

"(c) Except as in this act otherwise provided, the members of all advisory boards and commissions.

"Section 4. Section 208 of said act, as last amended by the act approved the twenty-eighth day of April, one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows:

"Section 208. Terms of Office.—The terms of office of the persons appointed by the Governor under the preceding section shall be as follows:

"(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor.

"(b) The term of the Superintendent of Public Instruction shall be four years.

"(b.1) The term of the State Comptroller first appointed shall begin on the effective date of this act and shall expire the thirty-first day of August, one thousand nine hundred fifty-five or as soon thereafter as his successor is appointed and qualified. The term of each of his successors shall be four years and until their successors are appointed and qualified.

"The Governor may suspend the State Comptroller for ineffifiency, neglect of duty or misconduct in office, giving him a copy of the charges against him and affording him an opportunity to be publicly heard in person or by counsel in his own defense, upon not less than ten days' notice, after which the Governor shall either remove him from or reinstate him in the office. If he shall be removed, the Governor shall file with the Department of State a complete statement of all charges made against him and his findings thereon, together with a complete record of the proceedings.

"(c) Except as in this act otherwise provided, the heads of other administrative departments, the Commissioner of the Pennsylvania State Police, the members of independent administrative boards and commissions, of departmental administrative boards and commissions, and of advisory boards and commissions, and departmental administrative officers, shall hold office for terms of four years, from the third Tuesday of January next following the election of a Governor, and until their successors shall have been appointed and qualified: Provided, That the term of the Commissioner of the Pennsylvania State Police appointed prior to the third Tuesday of January, one thousand nine hundred and thirty-nine, shall expire

upon that date, or as soon thereafter as his successor shall have been appointed and qualified.

"Section 5. Section 209 of said act, as last amended by the act, approved the twenty-eighth day of April, one thousand nine hundred forty-nine (P. L. 776) is hereby further amended to read as follows:

"Section 209. Compensation of the Governor, Lieutenant Governor, and the Heads of Departments.—Annual salaries shall be payable in equal semi-monthly installments, as follows:

"To the Governor, twenty-five thousand dollars.

"To the Lieutenant Governor, fifteen thousand dollars.

"To the Secretary of the Commonwealth, fifteen thousand dollars.

"To the Attorney General, fifteen thousand dollars.

"To the Auditor General, fifteen thousand dollars.

"To the State Treasurer, fifteen thousand dollars.

"To the Secretary of Internal Affairs, fifteen thousand dollars.

"To the Superintendent of Public Instruction, fifteen thousand dollars.

"To the Adjutant General, fifteen thousand dollars.

"To the Insurance Commissioner, fifteen thousand dollars.

"To the Secretary of Agriculture, fifteen thousand dollars.

"To the Secretary of griculture, fifteen thousand dollars.

"To the Secretary of Forests and Waters, fifteen thousand dollars.

"To the Secretary of Mines, fifteen thousand dollars.

"To the Secretary of Highways, fifteen thousand dollars.

"To the Secretary of Health, fifteen thousand dollars.

"To the Secretary of Labor and Industry, fifteen thousand dollars.

"To the Secretary of Welfare, fifteen thousand dollars.

"To the Secretary of Property and Supplies, fifteen thousand dollars.

"To the Secretary of Revenue, fifteen thousand dollars.

"To the Secretary of Public ssistance, fifteen thousand dollars.

"To the Secretary of Commerce, fifteen thousand dollars.

"To the State Comptroller, fifteen thousand dollars.

"Neither the Governor, Lieutenant Governor, nor the head of any administrative department, shall receive any additional compensation for any services rendered to the Commonwealth in any capacity.

"Section 6. Section 512 of said act is hereby amended to read as follows:

"Section 512. Legal Advice and Services.—Whenever any department, board, commission, or officer of the State Government, shall require legal advice concerning its conduct or operation, or when any legal difficulty or dispute arises, or litigation is commenced or to be commenced in which any department, board, commission, or officer, is concerned, or whenever any taxes or other accounts of any kind whatever due the Commonwealth remain overdue and unpaid for a period of ninety days, it shall be the duty of such department, board, commission, or officer, to refer to the same to the Department of Justice.

"It shall be the duty of any department, board, commission, or officer, having requested and received legal advice from the Department of Justice regarding the official duty of such department, board, commission, or officer, to follow the same, and, when any officer shall follow the advice given him by the Department of Justice, he shall not be in any way liable for so doing, upon his official bond or otherwise.

"Before the Department of Justice shall render any opinion, interpreting any appropriation act, or act authorizing the expenditure of money, it shall notify the Department of the Auditor General [and] the Treasury Department and the Department of the State Comptroller, of the question upon which its opinion has been requested, and afford to these departments an opportunity to present any views which they may have upon such question.

"It shall be unlawful for any department, board, commission, or officer, of the Commonwealth, to engage any attorney to represent such department, board, commission, or officer, in any matter or thing relating to the public business of such department, board, commission, or officer, without the approval in writing of the Attorney General.

"Section 7. Section 527 of said act, as added by the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 407) is hereby amended to read as follows:

"Section 527. Filing and Record Systems—The Governor shall, from time to time, cause studies to be made of the accumulations of files of correspondence, reports, records and other papers in possession of departments, boards and commissions, and may direct said departments, boards, or commissions to comply with the provisions of sections 524 and 525 of this act The requisitions, warrants, cancelled checks, books, records, correspondence and files of the Department of the Auditor General, the Department of the State Comptroller, the Department of Internal Affairs and the Treasury Department, which date back a period of four years or more, shall be xpressly covered by the provisions of this section.

"Section 8 Section 603 of said act, as amended by the act, approved the first day of June, one thousand nine hundred thirty-one (P. L. 350) is hereby further amended to read as follows:

"Section 603. List of Employes to Be Furnished to Certain State Officers.—All administrative departments, boards and commissions shall, on the fifteenth day of June of each year, transmit to the Auditor General, the State Treasurer, the State Comptroller and the [Budget Secretary] Governor a complete list, as of June first preceding, of the names of all persons, except day-laborers, entitled to receive compensation from the Codmonwealth for services rendered in or to the department, board, or commission, as the case may be. Such list shall show the position occupied by each such person, the date of birth and voting residence of such person, the salary at which or other basis upon which such person is entitled to be paid, the date when such person entered the service of the Commonwealth, whether such person has been continuously employed by the Commonwealth since that date, and all periods of service and positions held as an employe of the Commonwealth, or such part of such information as the Governor may prescribed.

"Each month thereafter, the heads of the several administrative departments, and the several independent administrative boards and commissions, shall certify to the Auditor General, the State Treasurer, the State Comp-

troller and the [Budget Secretary] Governor any changes in the annual list of employes last transmitted to them which shall have occurred during the preceding month.

"The information received by the Auditor General, the State Treasurer, the State Comptroller and the [Budget Secretary] Governor, under this section, shall be public information.

"Section 9. Section 604 of said act, as amended by the act, approved the third day of June, one thousand mine hundred forty-three (P. L. 833) is hereby further amended to read as follows:

"Section 604. [Estimates of Current Expenditures by Departments, Boards, and Commissions.—Each administrative department, board, and commission, except the departments of which the Auditor General, Secretary of Internal Affairs and the State Treasurer are respectively the heads, shall, from time to time, as requested by the Governor, prepare and submit to the Governor, for approval or disapproval, an estimate of the amount of money required for each activity or function to be carried on by such department, board or commission, during the ensuing month, quarter, or such other period as the Governor shall prescribe. If such estimate does not meet with the approval of the Governor, it shall be revised in accordance with the Governor's desires and resubmitted for aprpoval.

"After the approval of any such estimate, it shall be unlawful for the department, board, or commission to expend any appropriation or part thereof, except in accordance with such estimate, unless the same be revised with the approval of the Governor.

"If any department, board, or commission, to which this section applies, shall fail or refuse to submit to the Governor estimates of expenditures, in accordance with the Governor's request, the Governor may notify the Auditor General, in writing, of such failure or refusal, and, after receipt of sucr notices, the Auditor General shall not draw any warrant in favor of such department, board, or commission, until the Governor shall have notified the Auditor General, in writing, that the delinquent department, board, or commission has furnished him with, and he has approved, the estimate as required by this section.] Estimates of Current Expenditures; Approval and Disapproval; Effects of Noncompliance.—The Governor shall monthly, quarterly or for such other period of time as he shall prescribe, request each department, board and commission and each other agency receiving State appropriations, except the Department of the Auditor General, the Treasury Department and the Department of Internal Affairs, to prepare and submit to him an estimate of the amount of money required for each activity or function to be carried on by it during the omparable ensuing period of time. It shall be the duty of each department, board and commission to comply with any such request made by the Governor in connection with estimates of current expenditures.

"If any such estimate is not in accordance with the budget limitations contained in the appropriations made by the General Assembly, the Governor shall disapprove it. If for any reason any such estimate submitted by any non-elective department, board or commission does not meet with the Governor's approval, he may disapprove it. When an estimate is disapproved, it sall be revised to meet the objections made against it and shall be resubmitted for approval.

"After the approval of any such estimate, it shall be unlawful for any department, board or commission to expend any appropriation or part thereof, except in accordance with such estimate, unless the same be revised with the approval of the Governor. The State Comptroller shall not approve any requisition for expenditures contrary to the requirements of this paragraph.

"If any department, board or commission fails or refuses to submit any such estimate or revised estimate of expenditures, the Governor may notify the State Comptroller in writing of such failure or refusal and after receipt of such notice, the State Comptroller shall not approve any requisition for expenditures in favor of such department, board or commission until the Governor notifies him in writing that the delinquent department, board or commission has furnished such estimate and that it has been approved.

"The Governor shall certify to the State Comptroller the periodical allocations of budget appropriations made to the several departments, boards and commissions and all other agencies to which State appropriations have been made for the then current fiscal biennium.

"Section 10. Clauses (d) and (e) of Section 701 of said act, as last amended by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 467) are hereby repealed.

"Section 11. Said act is hereby amended by adding imediately following Article XI thereof, a new article to read as follows:

"Article XI-A

"Powers and Duties of the Department of the State Comptroller

"Section 1101-A. Powers and Duties in General. Subject to any inconsistent provisions in this act contained, the Department of the State Comptroller shall exercise the powers and perform the duties vested in and imposed upon it and the State Comptroller by the Fiscal Code and other laws.

"Section 12. Clause (c) of Section 2315 and clause (a) of Section 2316 of said act are hereby amended to read as follows:

"Section 2315. State Institutions.—With regard to State institutions, the department shall have the power, and its duty shall be:

* * * * *

"(c) To issue requisition upon the [Auditor General for warrants, to be drawn by the Auditor General upon the State Treasurer] State Comptroller for his approval for payment by the State Treasurer, in favor of such institutions, [for the payment] out of moneys specifically appropriated to the department for the purpose of the expenses of administering, operating, maintaining, and developing such State institutions.

"Section 2316. Care of the Indigent.—The Department of Welfare shall have the power, and its duty shall be:

"(a) Whenever the General Assembly shall have specifically appropriated money to the department for the purpose, to issue requisitions upon the [Auditor General for warrants, to be drawn by the Auditor General upon] State Comptroller for his approval for payment by the State Treasurer, in favor of such hospitals, homes, and

institutions as shall conform to at least the minimum standards of plant, equipment, service, administration, and care and treatment necessary for the proper care and treatment of patients or inmates, as required by the rules and regulations of the department, or established by law, in amounts computed upon the per diem rates of payment established by law for free service to indigent persons as follows:

"1. The care and treatment of sick or injured persons in hospitals,

"2. The care of dependent, delinquent, and defective children in homes or institutions,

"3. The care of dependent adults in homes or institutions,

"4. The care, and treatment of crippled children in homes or hospitals,

"5. The care, treatment and removal of insane persons in county hospitals for the insane or private institutions licensed by the department,

"6. The removal of nonresident dependent children,

"7. The placement of dependent children through child-caring agencies.

"Section 13. Clause (h) of Section 2402 of said act, as last amended by the act approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows:

"Section 2402. Grounds, Buildings and Monuments in General.—The Department of Property and Supplies shall have the power, and its duty shall be:

* * * * *

"(h) Whenever loss or damage by fire or other casualty shall occur to any structure, building, equipment, or other property owned by the Commonwealth, and be reported to the department, to make an examination thereof, and, in its discretion, subject only to the approval of the Governor, to rebuild, restore, or replace the property damaged or destroyed, and, for that purpose, to have plans and specifications prepared and contracts executed, and to supervise the erection, construction, or replacement thereof, such rebuilding, restoration, or replacement to be in substantial accord with the original character, use, and purposes of the property damaged or destroyed. The cost of the materials furnished, and work and labor performed, under such contracts, shall be certified by the department to the [Auditor General] State Comptroller, who shall issue his [warrant] requisition against the State Insurance Fund of this Commonwealth, which [warrant] requisition shall be paid by the State Treasurer, in the manner provided by law: Provided, That whenever the department shall have taken such action as will involve expenditures from said fund, it shall forthwith certify the probable amount of expenditure to the State Treasurer, who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into.

Section 14. Section 2405 of said act, as last amended by the act, approved the twenty-sixth day of September, one thousand nine hundred fifty-one (P. L. 1496) is hereby further amended to read as follows:

"Section 2405. Sale of Unserviceable Property.—The Department of Property and Supplies shall have the power, and its duty shall be, to receive from the several administrative departments, and independent administrative and departmental administrative boards and commissions, unserviceable personal property of this Commonwealth, to issue a receipt therefor and make a complete record thereof. When there is turned over to the department unserviceable furniture or equipment which is broken or out-worn and which is of a type which is adapted to public school use, it may, in the discretion of the Secretary of Property and Supplies, be delivered to the Superintendent of Public Instruction, without charge, for assignment to any school district, or, if no other department, board or commission is able to make use of the same presently, then as soon as convenient, to sell the same, either at public auction or private sale, in the city of Harrisburg, or elsewhere, as may be deemed advisable. Except, in the case of perishable property, such sales shall, if the department deems it feasible in view of the value of the property involved, be advertised in not exceeding five newspapers of the Commonwealth, once a week for three weeks, such advertisements to state the time, place, and conditions of any such sale; but, if, after such advertising, the department is unable to obtain a bid for the property, it may be demolished or destroyed: Provided, That when the unserviceable property is located outside the city of Harrisburg, the Department of Property and Supplies, in its discretion, may authorize the department, board, or commission having possession of the same, without advertising, to obtain at least two bids in the locality where the property is located. Such bids shall be referred to the Department of Property and Supplies, and, if it believes that the property will not realize a higher net sale price if transported to the Capitol for sale, the department may authorize the department, board, or commission having possession of the same, to sell the property locally to the highest bidder, to take a proper receipt therefor, and to transmit the proceeds to the [Department of Property and Supplies] Department of the State Comptroller, to be by it paid into the State Treasury [through the Department of Revenue]: And provided further, That whenever any department, board, or commission shall deliver to the Department of Property and Supplies any unserviceable personal property, and, at the same time, requisition the said department to furnish new property of a similar character to replace the unserviceable property delivered as aforesaid, or request said department, as purchasing agency, to purchase new property of a similar character, the Department of Property and Supplies shall endeavor to exchange the unserviceable property for or on account of the purchase price of the new property about to be purchased, but such unserviceable property shall not be delivered for or on account of the purchase price of any property at a lower valuation than the price which such unserviceable property would bring if sold in the open market for cash, and, to the extent that advertising any such unserviceable property for sale may be necessary to establish its market value, the Department of Property and Supplies is authorized and directed to advertise as hereinabove provided. The Department of Property and Supplies shall obtain from the person, partnership, or corporation, to which any personal property is delivered in exchange under the authority of this section, a receipt therefor, describing such personal property and specifying the value at which it was taken in exchange, and such receipt shall be delivered to the [Auditor General] State Comptroller, attached to the requisition for the payment of the

balance of the purchase price due for the new property purchased. The proceeds of sales of personal property hereunder, shall be transmitted by the Department of Property and Supplies to the [Department of Revenue] Department of the State Comptroller, which shall transmit it to the Treasury Department to be credited to the fund out of which the property sold was originally purchased.

"Section 15. Clause (i) of Section 2408 of said act, as last amended by the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows:

"Section 2408. Procedure for Erection of Buildings and Alterations or Additions to Existing Buildings.—Whenever the General Assembly shall have appropriated money to the Department of Property and Supplies, or to any other department, or to any administrative board or commission, for the erection of new buildings, or sewage or filtration plants, other service systems, or athletic fields, or other structures, or for alterations or additions or repairs to existing buildings, or to such plants, systems, fields, or structures, to cost more than four thousand dollars ($4,000), the following procedure shall apply, unless the work is to be done by State employes, or by inmates or patients of a State institution or State institutions, or unless the department, board, or commission to which the General Assembly has appropriated money for the foregoing purposes is, by this act or by the act making the appropriations, authorized to erect, alter, or enlarge buildings indepenedently of the Department of Property and Supplies, or under a different procedure:

"(i) No contract shall be valid or effective unless a certified copy thereof, detail break-down sheet of the work, and contract price of the work involved, shall have been filed in the offices of the Auditor General, the State Treasurer, the State Comptroller, and the department, board, or commission for which the work is to be done, promptly after the execution of the contract.

"Section 16. All employes of the Department of Auditor General on the effective date of this act, connected with the functions of such department relating to the drawing of warrants shall become employes of the Department of the State Comptroller and shall perform the duties assigned by the State Comptroller, upon the same terms and conditions as theretofore until removed or appointed to other positions by the State Comptroller.

"Section 17. All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act."

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. Mr. President, I object to the amendments.

MOTION THAT AMENDMENTS BE ADOPTED

Mr. YOSKO. Mr. President, I move that the amendments be adopted.

Mr. BANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I oppose this bill and request the other Members of the Senate to agree with me and to also oppose it.

Mr. President, I am sorry I must take the time of the Senate to review the situation that is before us. As I have said on a number of occasions, I spent about fourteen years with the State Government. One of the great fallacies I found in its operation was the accounting system and the lack of control of expenditures and proper accounting.

Mr. President, when I was elected to the Senate, my first Session was in 1949, and at that Session I presented a resolution calling for a survey by the Joint State Government Commission of the accounting system of the Commonwealth, with the view of establishing a uniform system. In the 1949 Session, the resolution was adopted and the Joint State Government Commission made its survey.

Mr. President and Members of the Senate, the Joint State Government Commission made an extensive survey. It employed, without compensation, for which we should be grateful, the Institute of Certified Public Accountants of Pennsylvania. After an exhaustive and complete examination of the functions of the Commonwealth and its accounting system, the Joint State Government Commission came up with a report, and I have this report before me. I have read it, I have studied it and I agree with its recommendations and its findings.

Mr. President, as a result of this report, the Joint State Government Commission prepared elaborate charts, plans and specifications, as well as a series of bills, to correct the undesirable situation that existed in the State Government accounting system. These bills were reported from committee, and they appeared on the Senate Calendar. After two readings, as I understood it at the time, they were returned to committee at the request of the Governor's Office.

Mr. President, then came the interval between the 1951 and the 1953 Sessions. The Governor apparently realized that there was some merit to the findings of the Joint State Government Commission, and he appointed what we know to be the Chesterman Committee, which made a series of recommendations to remove the various inefficiencies and the hodgepodge that is presently existing in our State Government.

Mr. President, I am going to read from the report which the Chesterman Committee made on the accounting system, or read a portion of that report at least, to indicate to you the importance of the amendments which I just presented, in lieu of the bill that is now on the Calendar.

Mr. President, the Chesterman Committee Report stated in part:

"The common weakness of the various accounting systems now in use by the State is the fact that they are designed to show only cash receipts and disbursements. They do not distinguish between expenditures for operations and expenditures for permanent improvements. They do not include proper accounting for non-cash assets nor for obligations incurred but unpaid. They do not relate the measure of benefits derived to the cost of producing these benefits for comparable fiscal periods.

Consequently, it is virtually impossible to obtain an accurate picture of the financial condition of the Commonwealth. The Governor, the Legislature and the people are deprived of adequate means by which to manage, to control and to judge the cost or effectiveness of the conduct of the State's affairs."

Mr. President, there are other passages in that report which should be read, but since the report I have before me is a part of the record, I will refrain from going into it any further.

Mr. President, the Governor of this Commonwealth also recognize dthe various inefficiencies in the State Government because, in his Address to the Joint Session of the Legislature, on February 23, 1953, among other things he said:

"The structure of your State Government has for some time outgrown efficiency and has promoted extravagance. Shortly after assuming office it was obvious to me, as it must have been to you, that much could be done to eradicate evils in your government, and that the field was expansive for improvement of the State services.

"How and when to proceed with improvements were the only questions before us; the necessity of proceeding with a survey of government was never clouded in any doubt. How such survey as the one before us could have been overlooked and been delayed until this Administration is quite confounding."

Mr. President, this observation was made when the Governor addressed the Joint Session on the Chesterman Committee Report.

Mr. President and Members of the Senate, you will recall that after the Chesterman Committee made its report, a committee was appointed to conduct hearings on the various phases of that report. After one or two hearings, the procedure was disbanded and it was decided to discontinue the hearings and, in lieu, prepare bills on each recommendation for submission to the Legislature for consideration.

Mr. President, the distinguished Majority Leader said that bills would be prepared, and bills were prepared on practically every phase of the Chesterman Committee Report except on the report on accounting. I questioned the Majority Leader on numerous occasions as to when this bill would be presented, in keeping with his promise not only to the Legislautre but to the people. He told me and told the Members of the Senate, which is a matter of record, that the bill was being prepared by the Attorney General's Office and would forthwith be presented for the consideration of this body, as well as the House.

Mr. President, I have waited a long time for this bill to make its appearance, but, lo and behold, it has not made its appearance to this date. What they give us is a mere scrap of meaningless paper in the form of Senate Bills Nos. 752 and 753.

Frankly, I more or less hesitated to oppose those bills because they bore the name of a very distinguished Member of this Senate, Senator Diehm, whom I have always found to be a man of high caliber, a man who is sincere in his dealings and in his consideration of legislation. The bills which they gave to Senator Diehm for us to consider here, as I have said before and I wish to say it now, were nothing more than a scrap of paper. What the bills propose to do can now be done under the provisions of The Administrative Code.

Mr. President, I called the Legislative Reference Bureau and I asked them for the section of The Administrative Code which provides for those features which the bill proposes to enact into law, and it would be nothing more than a duplication. For that reason, I say the bills are meaningless and are only a scrap of paper. I said this as soon as I looked at the bills.

Mr. President, the Attorney General's Office, which drafted these bills, must think we are a bunch of dopes over here. I just want to say to the persons who drafted them that if they think we are dopes, they are bigger dopes than we are for thinking we are dopes. I am really angry that they would send something over here that was absolutely meaningless, in an effort to deceive us and deceive the people of this Commonwealth by making us believe that we were going to get a new accounting system in this Commonwealth, which is needed, by these scraps of paper.

Mr. President, I will tell you how important it is for us to have an accounting sustem in this Commonwealth. A short time ago, I introduced a bill here calling upon the departments, boards and commissions to lapse whatever surpluses, unexpended surpluses, existed in appropriations. When I made an inquiry as to what the surpluses were, I was told that although they were on the books it was impossible to make an accurate determination, because nobody knew what the commitments were against those balances. That is just the way it is going to continue under the system that we have right now.

Mr. President, what do these bills propose to do? They propose to set up, in all of the departments or agencies of the Commonwealth, comptrollers and a series of employees under the comptrollers. If you will check, you will find that those comptrollers exist now, right at this moment. What are you going to do, just fire them and then rehire them? That would be just plain silly. Even to hire, to fire and rehire them would not cure the condition that exists in the State Government at the present time. What we need is not thirty-five or forty comptrollers; we need one comptroller. We need one comptroller who will approve expenditures, that will make collections due the Commonwealth, that will give periodic reports to the Legislature and to the people indicating the true financial condition of the Commonwealth.

Mr. President, I defy anybody in this State Government, as I said before, to tell us what the taxes payable are. By year or by taxpayers, I defy anybody in this Commonwealth to tell us what the accounts receivable are or what the accounts payable are. I defy anybody to tell us what the surplus from this biennium or from any other biennium might be. It just cannot be done, because of the accounting system under which we operate.

Mr. President, I went up to the Budget Bureau the other day and I asked the Budget Bureau, for instance, to give me a breakdown of the totals which appear in the appropriation bill that I understand is now before the House. Let me call your attention to that bill. Frankly, I think it is a disgrace not only to this Legislature, but to the Commonwealth as well. They introduced an appropriation bill in the House without a figure in it. Where the figure should be, there is a blank space waiting for the figure to be inserted. What sort of a Budget Bureau do we have? What sort of a fiscal policy de we have? When is the figure going to be inserted? When I asked

the Budget Office to let me have a breakdown of the totals to be appropriated to each department, I was told that would be a big job.

Frankly, Mr. President and Members of the Senate, the Budget Bureau ought to have such a statement at its finger tips. It should not say that it is a big job, because they either computed the totals that go to each department from subtotals, by an object classification that was submitted to the Budget Bureau, or they got the totals out of the air as nothing but a guess figure. If we permit such a condition to continue, the tax situation, the financial condition that confronted us at this Session, the last Session and the previous Sessions, will continue for an indefinite period.

As I said before, Mr. President and Members of the Senate, what we need is a revised accounting system. The amendments that I presented would have given us just that. Those amendments would have set up the Office of State Comptroller or State Accountants, whatever you want to call it. They would have defined his qualifications, as well as the term for which he would have served. They stipulated the purposes for which his services could be terminated and the method by which his services could be terminated, that is, the procedure. The amendments would fix the State Comptroller's salary. They would prescribe the duties and functions of the State Comptroller relative to the approval or disapproval of expenditures, and require the submission of monthly estimates of expenditures by the agencies of the Commonwealth. They would require the State Comptroller to maintain all accounts of the Commonwealth, the funds, securities and claims and to render accounting reports. They would provide a method for collecting bills due the Commonwealth, for treatment in State institutions and from persons who do business with departments, boards and commissions. The State Comptroller, under these amendments, would install a modern system of accounting to reflect the operation of the Commonwealth on an accrual rather than a cash basis. He would submit quarterly statements, indicating the true financial condition of the Commonwealth at any given period.

Mr. President, I might add that copies of these statements would be made available to the General Assembly while it was in Session and, when not in Session, to the Joint State Government Commission. The reports would be made available for the general information of the public. They would require the State Comptroller to examine and approve all requisitions for the payment of money out of the State Treasury. A detailed statement of money receivable by all agencies of the Commonwealth would be prepared and made available by the State Comptroller. Finally, he would approve all requisitions for the payment of any money before the requisitions were transmitted to the Treasury Department. In other words, he would preaudit all State expenditures.

With that sort of a system, Mr. President, you would know at all times just what condition your budgets were in, just what commitments were made against appropriations, what debts were due the Commonwealth, and in that fashion you would be able to determine the true financial condition of the Commonwealth at any given period. It would also assist in the preparation of a true and correct budget.

I just want to call your attention to one more thing, Mr. President, before I close. At the end of this biennium,the Governor issued a statement of receipts and expenditures and, of course, he tells you about the actual collections for the period ending May 31. However, nowhere does the Governor tell us of the taxes, collections, that are receivable which have not been paid as of May 31, but should be paid at some time.

Mr. President, how do you or I know how much money was collected since May 31, which is applicable to this biennium? That is an important factor for the Legislature to know when it places a total figure in the appropriation bill, which is to come before us within a short period of time. We have a right to know just what the financial condition of the Commonwealth is. We do not know it and we never will know it under this bill. It is a joke, it is nothing but a mere scrap of paper, it is an insult to the intelligence of the Members of this Senate and to the people of this Commonwealth.

Mr. President, I ask that this bill be voted down and that a bill be considered proposing to do what the Chesterman Committee recommended we do, what the Joint State Government Commission recommended we do, and what Mr. Heyburn, when he left office, recommended we do in a report that he submitted to the people.

Mr. MAHANY. Mr. President, I believe the Senator spent about eighty per cent of his time talking about a bill that is not before us.

Mr. President, this bill, I believe, is a step in the right direction. Under the present setup, the comptrollers are appointed by the heads of the departments, and they are responsible to the heads of the departments. It was felt that inasmuch as the comptroller has to approve or disapprove of the expenditures of the department heads and the employees in that particular department, that they should not be employed or supervised by the heads of the departments but should be responsible to some other power. All that this bill does is to provide that the Governor shall have the power and the authority to appoint these comptrollers in these various departments, and no longer will they be subservient to the heads of the departments, but they will be under the direct supervision of the appointing power, the Governor.

Mr. President, I believe that this is a step in the right direction, and that it will accomplish quite a bit of good in the operation of the State Government. I ask my colleagues to vote for the bill.

Mr. YOSKO. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Is it not a fact, Senator Mahany, that in all departments in the State Government, except the Auditor General, State Treasury and Secretary of Internal Affairs, which are exempt from the provisions of this bill anyway, all other employees come under the jurisdiction of the Governor?

Mr. MAHANY. Mr. President, I do not understand that that is the case. I remember that Attorney General Woodside told me that his comptroller was employed by him and was responsible to the Attorney General. He thought that this was wrong, and that the comptroller in each department should not be under the supervision

and control of the head of the department but should be more or less independent.

Mr. YOSKO. Mr. President, I desire to further interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader, Mr. Mahany, permit himself to be further interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Is it not a fact that if the Governor wanted to, he could dismiss the Attorney General's comptroller, or any other comptroller or any other employee in the Commonwealth outside of the State Treasury, the Auidtor General's Department and the Secretary of Internal Aflairs?

Mr. MAHANY. Well, if he could it has not been done. This bill does provide specifically that the Governor shall have that power. Perhaps, under the law there may be some implication that the Governor might have that power, but it is not so generally understood.

Mr. YOSKO. Mr. President, I just want to say to Senator Mahany that if he will read the proper sections of The Administrative Code, he will find that what I say is correct.

Mr. President, since the power to fire is the same as the power to hire, the Governor would have and does have, under The Administrative Code, the power to fire or hire anybody in the State Government, outside of the three departments I named. The best example of that is when he fired Mr. Brown here a short time ago, or asked for his resignation. If he could fire Mr. Brown, he could fire anybody who worked under Mr. Brown. Since the Governor appoints his own Cabinet Members and the Cabinet Members are the heads of the departments, he certainly could fire, if he wanted to, the employees who work under them.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Berger,	Harney,	McCusker,	Taylor,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	

NAYS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Education, reported as committed Senate Bill No. 795, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by substituting approval of the court of common pleas and the Superintendent of Public Instruction for approval of State Council of Education before creation or affecting boundaries of third and fourth class districts.

BILLS INTRODUCED AND REFERRED

Mr. WOLFE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection The Chair hears none.

Mr. WOLFE read in place and presented to the Chair Senate Bill No. 797, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two parcels of land situate in the City of Philadelphia, Philadelphia County, State of Pennsylvania, containing in the aggregate approximately 14.9799 acres, to be used for a Veterans Administration Hospital and ceding jurisdiction to the United States.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS (By request) read in place and presented to the Chair Senate Bill No. 798, entitled:

An Act to further amend clause 2 of Section 14 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by eliminating the provision relating to mandatory retirement of non-professional employes upon attaining the age of seventy years.

Which was committed to the Committee on Education.

Mr. BLASS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS read in place and presented to the Chair Senate Bill No. 799, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Edinboro State Teachers' College, to acquire a tract of land for the use of Edinboro State Teachers' College, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the

following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg, Dauphin County, Pennsylvania with the approval of the Governor.

Senate Bill No. 360, entitled:

An Act to further amend section two hundred forty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for additional complimentary fishing licenses.

Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4,466 acres, more or less, situte in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act approved the eleventh day of May, one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth to the effect thereof; to transcrbing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to require lapse of time before the issuance of notice of forcible ejectment.

House Bill No. 811, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "Corporate Net Income Tax Act," by extending the provisions of the act for a further limited period of time.

House Bill No. 1021, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further regulating size and weight of buses.

House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships; providing for the computation, payment, assessment settlement and resettlement of the tax, and reviews and appeals therefrom; conferring powers, and imposing duties on certain persons, corporations and certain partnerships, State officers, boards and departments; requiring certain reports; creating a lien for unpaid tax; imposing penalties; and repealing certain acts relating to corporations and certain partnerships.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 14, as follows:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 948) entitled "An act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation" by authorizing the Department of Highways to add two new routes in Cumberland Delaware and Philadelphia Counties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 948) entitled "An act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation" is hereby amended by adding at the end thereof two new clauses to read as follows

Section 1 Whenever in the opinion of the Secretary of Highways the laying out opening and construction of the highways hereinafter described will facilitate the movement of vehicular traffic or relieve traffic congestion on the State highway system the Secretary of Highways with the approval of the Governor shall have authority to lay out and take over as State highway routes such highways in accordance with the following descriptions

(4) Beginning at a point on United States Traffic Route 11 west of the Borough of Carlisle Cumberland County to a point east of the Borough of Carlisle on United States Traffic Route 11 by-passing the Borough of Carlisle

(5) Beginning at a point on Route 133 near Route 23032 thence northeasterly in Upper Darby Township Delaware County and the city of Philadelphia to a point at or near Vine and Sixty-third Streets.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Manany,	Silvert,	Wolfe,
Freed	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 32, entitled:

An Act to further amend Section 2 of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of this act.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I desire to interrogate either of the sponsors of the bill.

The PRESIDENT. Will the Minority Floor Leader permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to inquire of the Minority Floor Leader whether he is familiar enough with Senate Bill No. 32 to be interrogated regarding the contents thereof.

Mr. DENT. Yes, I think so, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Westmoreland if there is a provision in this bill which will prevent estates, that might come under the provisions of the amendment, from being taxed twice.

Mr. DENT. I think that the natural provisions of all of our laws disallow taxation twice on the same subject. The money is not deposited in the central bank; it is deposited in the local bank. The court ruling in Pittsburgh has taken from the local districts, where these branch banks are situated, the personal property taxes on moneys that are deposited in the branch banks in the respective counties, and it gives to the county of Allegheny, let us put it that way, verly clearly, the right to take the personal tax on moneys which are resting in the depositories of the branch banks in contiguous counties.

I cannot say whether there would be any taxing authority that would try to take a tax on the same sum of money at both places.

Mr. WALKER. Mr. President, I wish to call the gentleman's attention to the fact that in an illustration such as he has suggested to the Senate, where the trust might have originated in Westmoreland County and then, through a merger with a Pittsburgh bank or an Allegheny County bank, the trust might be transferred for any number of reasons to Pittsburgh, where it would be subject to the personal property tax levied by the city of Pittsburgh and the school board of the city of Pittsburgh, there is nothing in this bill which will prevent the county of Westmoreland, under this amendment, from levying a tax on the same personal property because it originated in Westmoreland County.

Mr. DENT. Mr. President, I think that under the personal property tax, when you fill out your form and state the amount of personal property that you own, which comes under the taxing features of the Personal Property Tax Act, you must state where the money is deposited, or if the money happens to be transferred, as you say, through a merger of the two banks and if the account is then removed and taken to the central bank, there is nothing in this bill which would allow Westmoreland or any county to tax that sum of money which is no longer in the county.

Mr. WALKER. Well, Mr. President, the gentleman from Westmoreland must understand that under this amendment, even if the trust were originated in Westmoreland County and then through a merger the Westmoreland County Trust Company would become a branch bank of a Pittsburgh bank, and the trust were removed for accounting purposes to Pittsburgh, it would be subject to a personal property tax in Westmoreland County.

Mr. DENT. Yes, it would because the only thing which has been removed is the file for accounting purposes, and that is exactly what we are trying to stop.

Mr. WALKER. If the actual securities involved in the trust were transferred to Pittsburgh, does the gentleman from Westmoreland suggest that they would not be subject to the tax in Westmoreland under this amendment?

Mr. DENT. I certainly do, because the only thing that determines where the trust resides is the administrative office of the trust. If the present administration of that trust is in Westmoreland County, then the trust ought to be taxed in Westmoreland County, regardless of the accounting features of the parent bank.

Mr. WALKER. Mr. President, I certainly do not want to prolong the argument on this bill, but the amendment very clearly states that if the trust is created in the branch bank, regardless of where the accounting books are kept or if the books and the trust entirely were removed to Pittsburgh under this amendment, Westmoreland County could levy a personal property tax on that personal property even though it has been removed to Pittsburgh.

Mr. DENT. When the trust administration has been removed to Pittsburgh?

Mr. WALKER. Yes.

Mr. DENT. It would not be taxed in Allegheny County. That is the understanding I have from Senator Lane,

who was the originator of the bill, because of a court case arising out of a trust in Washington County.

Mr. WALKER. May I respectfully suggest to the gentleman from Westmoreland that there is no provision in this amendment which protects the trust from being taxed in Pittsburgh and in Westmoreland.

Mr. DENT. Mr. President, I would suggest to the gentleman from Allegheny that I will gladly go along on any amendment to protect the trust against dual taxation.

Mr. WALKER. Mr. President, I am not the sponsor of the bill. I am merely concerned about not taxing the trust in Westmoreland County or not taxing it in two counties. I respectfully suggest to the members of the Bar, who are in the Senate, that I think the Dorrance Estate established the fact that you cannot tax property in two separate jurisdictions.

Mr. DENT. Well, what does the gentleman want me to do?

Mr. WALKER. Mr. President, I would suggest to the sponsors of the bill that they make a determination as to whether or not it is possible for trusts to be taxed twice under this bill. If such a danger might exist, I would suggest that a saving clause be put into the bill, as an amendment, to protect trusts from being taxed in two separate counties.

Mr. MALLERY. Mr. President, I took this very matter up with the Attorney General's Office and was advised that if, for example, a trust were created in Westmoreland County or in Washington County, or any county in the State for that matter, and deposited in a branch bank, it would be the duty of the branch bank to notify the parent bank that the fund was taxable in the branch bank. Therefore, there would be no possibility of the fund being taxed twice.

Mr. DENT. Mr. President, I know that Senator Walker is serious and is very much disturbed over the possibility of dual taxation. If Senator Walker will accept the Attorney General's word, as it has been transmitted by Senator Mallery, I will ask that the bill be acted upon today.

Mr. WALKER. Mr. President, that places the gentleman from Allegheny in a very embarrassing position.

Mr. DENT. I know.

Mr. WALKER. Mr. President, I have nothing but the highest regard for Senator Mallery, the distinguished gentleman from Blair. I do not know at this point who, in the Attorney General's Office, gave the opinion. I had the privilege and the pleasure of serving for three years in the Department of Justice and I have nothing but the highest regard for every deputy that the Attorney General has, but I say, in all fairness, I am not apprised as yet of the fact that the bill has been studied by the Department and an opinion actually rendered.

As one lawyer to another, Mr. President, may I suggest that a fast opinion on a thing like this, when there is a vast difference of opinion among lawyers—I have had some lawyers, I might say, Mr. President, say to me, "I do not think you would be in any danger of being taxed twice." Other lawyers have said, "I think there is a very grave danger without a saving clause." It is so simple to be safe with a saving clause, so that you are not taxed twice.

Mr. President, I have no objection to the bill, if the saving clause is put in there so that the estates are not taxed twice. How embarrased we would be, Mr. President, if we passed this bill and then, in all of these areas where branch banks happen to be located,—fortunately for Allegheny County and the contiguous counties we have a branch banking system there that is functioning with marvelous efficiency in service to the public—these trusts were subjected to a dual taxation.

Mr. DENT. Mr. President, I am sure that the sponsors of the act had no intention of dual taxation. I am sure that the Attorney General, whomever he was, gave the opinion on the law as he read it. However, in face of the doubt which still exists in the mind of the gentleman from Allegheny, I am sure that we can wait until tomorrow to clarify it.

I might add, Mr. President, that I believe every member of the Senate, who is not a member of the Bar, realizes there would not be any act passed if we had to get unanimity of opinion from the lawyers on just what the contents of the act will be.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 32, Printer's No. 389, on third reading, go over in its order, and we will work with the gentleman to get the proper amendments in order to protect the trusts against dual taxation.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 110, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titleing including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 703 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon

the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 618) is herby further amended to read as follows

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Chassis Weight in Pounds	Fee
R	Less than 2000	$16.50
S	2000 and over but less than 3000	26.00
T	3000 and over but less than 4000	35.00
U	4000 and over but less than 5000	45.00
V	5000 and over but less than 6000	70.00
W	6000 and over but less than 7500	96.00
Y	7500 and over but less than 9000	120.00
Z	9000 and over	175.00

Six-wheeled (3 Axles)

Class	Chassis Weight in Pounds	Fee
RZ	2000 and over but less than 3000	$40.00
SZ	3000 and over but less than 4000	50.00
TZ	4000 and over but less than 5000	60.00
UZ	5000 and over but less than 6000	98.00
VZ	6000 and over but less than 7500	168.00
WZ	7500 and over but less than 9000	186.00
YZ	9000 and over but less than 12000	215.00
ZZ	12000 and over	250.00

Eight-Wheeled (4 Axles In Pairs) Commercial Vehicles

Class	Chassis Weight in Pounds	Fee
RX	3000 and over but less than 4000	$50.00
SX	4000 and over but less than 5000	60.00
TX	5000 and over but less than 6000	98.00
UX	6000 and over but less than 7500	168.00
VX	7500 and over but less than 9000	186.00
WX	9000 and over but less than 12000	215.00
YX	12000 and over but less than 13500	250.00
ZX	13500 and over	275.00

Section 2 Subsections (a) and (f) of section 903 of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) are hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
R	Less than 2000	5000
S	2000 and over but less than 3000	7000
T	3000 and over but less than 4000	11000
U	4000 and over but less than 5000	15000
V	5000 and over but less than 6000	19000
W	6000 and over but less than 7500	23000
Y	7500 and over but less than 9000	27000
Z	9000 and over	30000

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
RZ	2000 and over but less than 3000	12000
SZ	3000 and over but less than 4000	14000
TZ	4000 and over but less than 5000	16000
UZ	5000 and over but less than 6000	24000
VZ	6000 and over but less than 7500	28000
WZ	7500 and over but less than 9000	32000
YZ	9000 and over but less than 12000	36000
ZZ	12000 and over	40000

Eight-Wheeled (4 Axles In Pairs)

Class	Chassis Weight in Pounds	Commercial Vehicles Maximum Gross Weight in Pounds
RX	3000 and over but less than 4000	14000
SX	4000 and over but less than 5000	16000
TX	5000 and over but less than 6000	24000
UX	6000 and over but less than 7500	28000
VX	7500 and over but less than 9000	32000
WX	9000 and over but less than 12000	36000
YX	12000 and over but less than 13500	40000
ZX	13500 and over	

* * * * *

(f) No six or more wheeled vehicle with a single front axle and a pair of rear axles except fire department equipment shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or weight in excess of eight thousand (8000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

* * * * *

Section 3 Section 903 of said act is hereby amended by adding after subsection (f) thereof two new subsections to read as follows

Section 903 Weight of Vehicles and Loads

* * * * *

(f.1) No six or more wheeled vehicle with a pair of front axles and a single rear axle except fire department equipment shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or weight in excess of twenty thousand (20,000) pounds on the rear axle or twelve thousand (12,000) pounds on any one of the front axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two front axles shall be parallel and shall not be less than thirty-six (36) inches apart

(f.2) No eight or more wheeled vehicles with a pair of front axles except fire department equipment shall be operated upon any highway with a gross weight in excess of the maximum gross weight now or hereafter allowed for a truck tractor and semi-trailer combined under the provisions of section 903 and its amendments or weight in excess of thirty-six thousand (36,000) pounds on any pair of axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel Any pair of axles shall be parallel and shall not be less than thirty-six (36) inches apart

Section 4 The penalty clause of section 903 of said act as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * * *

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight or with weight on any pair of axles or on any

one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in that particular case and not exceeding by more than ten (10) per centum the maximum weight allowed shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in that particular case shall in each case upon summary concivtion before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kessler,	McMenamin,	Wade,
Camiel,	Kopriver, Jr.	McPherson, Jr.	Wagner,
Chapman,	Lane,	Miller,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Dent,	Letzler,	Propert,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska.			

NAYS—4

Fleming,	Kephart,	Pechan,	Stevenson,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 223, as follows:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections and nomination of candicates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the minimum compensation and eliminating maximum compensation payable to election officers in third to eighth class counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to election" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1698) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(b) In counties of the third fourth fifth sixth seventh and eighth classes the compensation of judges inspectors clerks and machine inspectors in districts using voting machines shall be fixed by the county board of election of the county at not less than the following judges of elections [seven dollars fiftv cents ($7.50)] ten dollars ($10) inspectors and clerks [six dollars ($6)] eight dollars ($8) and machine operators [five dollars ($5)] six dollars ($6) and not more than the following judges of election twenty dollars ($20) inspectors and clerks seventeen dollars fifty cents ($17.50) and machine operators fifteen dollars ($15) for each primary and election In districts using voting machines the county board of elections may in its discretion establish different per diem rates within the above mentioned minima and maxima based on the number of votes cast for the following groups 150 votes or less 151 to 500 votes 501 to 1000 votes over 1000 votes In every election district using paper ballots in such counties the compensation of judges inspectors and clerks shall be fixed by the county board of elections of the county at not less than six dollars ($6) nor more than ten dollars ($10) for each primary and election In any election district using paper ballots in such counties in which more than one hundred votes are cast at any primary or election all such officers and clerks shall each receive additional compensation at the rate of two dollars ($2) for each one hundred votes or fraction thereof cast after the first one hundred votes Provided That in districts using paper ballots no judge of elections shall receive more than twenty-seven dollars fifty cents ($27.50) for any primary or election nor shall any inspector or clerk receive more than twenty-five dollars ($25) for any primary or election

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe
Freed,	Mallery,	Snowden,	Yosko
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 281, entitled:

An Act authorizing corporations to grant stock options, pensions, and allowances to officers and employes under certain circumstances; validating stock options, pensions, and allowances heretofore granted; and repealing inconsistent laws.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. McPHERSON, JR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 2 of Title, by striking out "to officers and employes AND"; Amend Title, page 1, lines 3 and 4 of Title, by striking out "To officers Employes and Their Surviving Spouses"; Amend Title, page 1, line 4 of Title, by inserting after "circumstances": "and"; Amend Title, page 1, next to last line and last line of Title, by striking out "and repealing inconsistent laws"; Amend Sec. 1, page 2, lines 1 and 2, by striking out "Subject to preemptive rights of shareholders to subscribe to new issues of capital stock every" and inserting in lieu thereof: "Every"; Amend Sec. 1, page 2, line 7, by striking out "of" and inserting in lieu thereof: "with"; Amend Sec. 1, page 2, line 17, by inserting after "shareholders": "The provisions of this section shall not alter or amend the provisions of existing law with respect to the preemptive rights of shareholders to subscribe to new issues of capital stock."; Amend Sec. 2, page 2, line 18, by striking out "Every corporation" and inserting in lieu thereof: "All corporations"; Amend Sec. 2, page 2, line 19, by striking out "this" and inserting in lieu thereof: "the"; Amend Sec. 2, page 2, lines 19 and 20, by striking out "may by action of The Holders of a Majority of the Shares"; Amend Sec. 2, page 3, lines 1 to 6, by striking out lines 1 to 5, inclusive and "Such Action of its Shareholders as Members" in line 6 and inserting in lieu thereof: "of Pennsylvania, including those corporations organized not for profit, may"; Amend Sec. 2, page 3, lines 7 and 8, by striking out "Out of the Earnings of the Corporation"; Amend Sec. 2, page 3, line 8, by striking out "its"; Amend Sec. 2, page 3, line 8, by striking out "and" where it appears the first time in said line and inserting in lieu thereof: "directors or"; Amend Sec. 2, page 3, lines 8 and 9, by striking out "and the officers and employes of a wholly-owned subsidiary corporation or any of them"; Amend Sec. 2, page 3, lines 10 to 11, by striking out "service who have in such service become old infirm or disabled After" and inserting in lieu thereof: "services and after"; Amend Sec. 2, page 3, line 11, by inserting after "officer" "director"; Amend Sec. 2, page 3, line 12, by striking out "of a wholly-owned subsidiary or"; Amend Sec. 2, page 3, line 13, by inserting after "retirement": "pensions or"; Amend Sec. 2, page 3, line 13, by inserting after "granted": "or continued"; Amend Sec. 2, page 3, line 14, by striking out "Surviving Spouse" and inserting in lieu thereof: "dependents: Provided, That such allowances to his or her dependents shall be reasonable in amount and paid only for a limited time: And provided further, That any such allowance, unless part of an employe benefit plan or employment contract, in effect at the time of retirement or death of the officer, director or employe, shall not exceed in total the amount of the compensation paid to him or her during the twelve months preceding retirement or death."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. McPHERSON, JR. Mr. President, I ask unanimous consent that Senate Bill No. 281, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 290, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

Section one of article nine is hereby amended to read as follows

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines and the General Assembly may by general laws set upon standards and qualifications for private forest reserves and make special provisions for the taxation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,

Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 310, as follows:

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Court of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight article five of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 8 The said courts in the counties of Philadelphia and Allegheny respectively shall from time to time in turn detail one or more of their judges and in the case of the courts of Allegheny County may also detail one or more of the judges of the County Court to hold the courts of Oyer and Terminer and the courts of Quarter Sessions of the Peace of said counties in such manner as may be directed by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 321, as follows:

An Act providing that when a vacancy in any elective office of any political subdivision is filled by appointment the appointing authority shall give notice of the appointment to the county election board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever a vacancy in an elective office of any political subdivision is filled by the appointment of an officer as provided by law the appointing authority if not a court of record shall within ten days after making the appointment send written notice of the appointment to the county board of elections naming the office in which the vacancy is being filled giving the name and address of the person appointed and the name of the person who was the last incumbent of the office

Where a court of record fills any such vacancy by a court order a copy of the court order shall be sent to the election board by the clerk of the court in lieu of the written notice herein prescribed

Section 2 Any person wilfully failing to perform the duty imposed upon him by this act shall be liable to a penalty of twenty-five dollars for the use of the county to be collectible in the same manner as like penalties are collected

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 454, as follows:

An Act to amend Section 11.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing provisions relating to contribution payments and providing for certain repayments to contributors in case of withdrawal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contribut-

ing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from txation and judicial process and providing penalties" as added by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1797) is hereby amended to read as follows

Section 11.1 Any contributor who has had service in states territories or areas under the jurisdiction of the United States besides this Commonwealth as an employe in any public school or institution for a period of at least one year and who (i) submits proof satisfactory to the retirement board of all or part of such service (ii) files an affidavit in the form prescribed by the retirement board stating that he or she is not entitled to a deferred retirement allowance for such service and in the case of contributors becoming members after the effective date of this amending act that he or she has not forfeited any vested right to a deferred retirement allowance for such service and (iii) pays or agrees to pay as hereinafter provided into the School Employes Retirement Fund an amount equal to the contributions which would have been collected from such contributor for the period of such service had such service been rendered in this Commonwealth at his or her earnable salary for the school year in which application for credit for out-of-state service is made figured at the contributor's current percentage of salary deduction together with an additional amount as the equivalent of the contributions of the school district and the Commonwealth on account of such service shall be credited with such years of service for retirement purposes Such credit shall not exceed ten years nor the number of years between the age of the contributor at the time he or she becomes a member and the age at retirement nor the number of years of credited service in this Commonwealth

Application in writing for such credit must be made to the retirement board within three years after the applicant becomes a member of the retirement system or in the case of applicants who are members on the effective date of this amending act within three years from that date

The contributions required to be paid for such service credit may be paid in a lump sum or by installments [or by an increased rate of contributions] agreed upon by the contributor and the retirement board Installment payments must begin within the period of three years from the effective date of this act or before the contributor has completed three years of service in this Commonwealth All such contributions shall be credited in equal amounts to the member's annuity savings account and the Contingent Reserve Account if a new entrant or the State Annuity Reserve Account Number Two if a present employe In the event that a contributor withdraws from the retirement system or retires on superannuation or disability retirement before such contributions are fully paid the employe's annuity and his State annuity shall be credited with the number of years of out-of-state service or fractional parts thereof for which he has purchased credit to the date of application for retirement In the event that a contributor separates from the retirement system otherwise than by superannuation disability or withdrawal allowance the amount paid by him under this section as the equivalent of the contributions of the school district and the Commonwealth together with interest shall be paid to him or to a designated beneficiary at his request Any contributor who has purchased an annuity under the provisions of subsection six point one of section eight of this act may forfeit such annuity and direct that the money paid into the School Employes Retirement Fund therefor be applied to the contributions required by this section

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,		McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 500, as follows:

An Act to amend the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating preneed funeral services contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" is hereby amended to read as follows

Section 3 Application for License Qualifications of Applicants

* * * * *

(h) Any person having the qualifications prescribed by subsection (b) of this section registered as a student apprentice under the provisions of existing law or enrolled as a student in a school of embalming prior to the [effective date of this act] first day of January one thousand nine hundred fifty-three and who has continuously thereafter served as a student apprentice or continued his studies in a school of embalming or either shall be entitled to take the examination for license to practice as a funeral director after he has had practical experience in the business or profession of funeral directing for two years continuously as a resident trainee and has completely embalmed at least twenty-five (25) bodies

Section 2 Section 13 of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 13 Practice without License Exceptions
* * * * *

(c) No person other than a licensed funeral director shall directly or indirectly or through an agent offer to or enter into a contract with a living person to render funeral services to such person when needed If any such licensed funeral director shall accept any money for such contracts he shall forthwith either deposit the same in an escrow account in or transfer the same in trust to a banking institution in this Commonwealth conditioned upon its withdrawal or disbursement only for the purposes for which such money was accepted This subsection does not apply to a contract by a bonafide institution that it will provide professional funeral services for persons who may die while inmates of the institution if such contract is made as a part of its contract for housing maintaining and caring for its inmates

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been print- as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe.
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affrmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 578, as follows:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania by proviidng for exemption of certain disabled veterans from certain taxes

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That section one of article nine is hereby amended to read as follows

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp for honorably discharged soldiers sailors and marines and real property owned and occupied by any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in time of war in any branch of the armed forces who has been or shall be declared by the United States Veterans Administration or its successors to have a service-connected disability resulting in permanent loss of the use of both legs or permanent paralysis of both legs and lower parts of the body resulting from traumatic injury to the spinal cord skeletal structure or brain or in total blindness or in the amputation of both arms or both legs or both hands or both feet or the combination of a hand and a foot

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane.	Hare,	McCreesh,	Stevenson,
Barr.	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery.	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act authorizing the State Highway and Bridge Authority upon agreement with the Department of Highways and approval of the Governor to erect construct and maintain a bridge over the Ohio River between a point in or near the Borough of Shippingport Beaver County and a point in such county on the opposite side of the Ohio River and to provide the necessary approaches and connections with State highways authorizing the collection of tolls and charges providing for designation of such bridges approaches and connections as State highway routes and their maintenance as such routes thirty years after construction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Highway and Bridge Authority upon agreement with the Department of Highways and approval of the Governor is hereby authorized to erect construct and maintain a bridge over the Ohio River between a point in or near the Borough of Shippingport Beaver County and a point in such county on the opposite side of the river to connect with State highways on both sides of such river and to acquire the necessary land for approaches thereto

Section 2 Except as otherwise provided by this act the State Highway and Bridge Authority in the erection construction and maintenance of the bridge approaches thereto and connections with existing State Highways shall have all powers and duties conferred upon it by the State Highway and Bridge Authority Act and shall have the power and authority to carry out and perform

all lawful acts necessary to effectuate the erection construction and maintenance of the bridge and approaches thereto and connections with State highways authorized by this act

Section 3 The State Highway and Bridge Authority shall assess tolls and charges upon users of the bridge its approaches and connections with existing State highways in such amount as to enable the authority to pay all costs of construction and maintenance within a period of thirty years from the time of completion of the construction thereof

Section 4 Thirty years after the completion of the bridge approaches thereto and connections with existing State highways they shall be designated as State highway routes and shall then be maintained as provided by law in the case of State highway routes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 599, as follows:

An Act authorizing the State Highway and Bridge Authority upon agreement with the Department of Highways and approval of the Governor to erect construct and maintain a bridge over the Ohio River in or near the Borough of Aliquippa Beaver County and the Borough of Baden Beaver County to connect with State Highways and to provide the necessary approaches and connections with such State highways authorizing the collection of tolls and charges providing for designation of such bridges approaches and connections as State Highway routes and their maintenance as such routes thirty years after their construction

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Highway and Bridge Authority upon agreement with the Department of Highways and approval of the Governor is hereby authorized to erect construct and maintain a bridge over the Ohio River between a point in or near the Borough of Baden Beaver County to connect the State highways on both sides of such river and to acquire the necessary land for approaches thereto

Section 2 Except as otherwise provided by this act the State Highways and Bridge Authority in the erection construction and maintenance of the bridge approaches thereto and connections with existing State highways shall have all powers and duties conferred upon it by the State Highway and Bridge Authority act and shall have the power and authority to carry out and perform all lawful acts necessary to effectuate the erection construction and maintenance of the bridge and approaches thereto and connections with the State highways authorized by this act

Section 3 The State Highway and Bridge Authority shall assess tolls and charges upon users of the bridge its approaches and connections with existing State highways in such an amount as to enable the authority to pay all costs of construction and maintenance within a period of thirty years from the time of completion of the construction thereof

Section 4 Thirty years after the completion of the bridge approaches thereto and connections with existing State highways they shall be designated as State highway routes and shall then be maintained as provided by law in the case of State highway routes

And said bill having been read at length the third time, and greed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 626, Printer's No. 130, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 650, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and their executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and

other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other asistants and employes of certain departments boards and commissions shall be determined" by providing for the investment of certain funds in the treasury of Pennsylvania creating the Investment Council as a department defining its powers and duties and repealing a certain act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Treasury Department of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-fifth day of May one thousand nine hundred forty five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Treasury Department

Board of Finance and Revenue

Investment Council

Section 2 Said act is hereby amended by adding after Section 462 a new section to read as follows

Section 463 Investment Council The Investment Council shall consist of the State Treasurer who shall be chairman thereof the Attorney General the Secretary of the Commonwealth the Auditor General the Secretary of Revenue and four other persons two of whom shall be appointed by the Governor for terms expiring with his own and two of whom shall be appointed by the State Treasurer for terms expiring with his own

Five members of the council shall constitute a quorum

The council shall elect a secretary who need not be a member of the council and such other officers and employes as may be necessary for the proper conduct of its work

The powers and duties vested in and imposed upon the council shall in all cases be exercised or performed by a majority of the council

The council shall keep full and exact minutes of its proceedings which shall at all times be open to the inspection of the Governor and the General Assembly

Section 3 Said act is hereby amended by adding after Section 1102 a new section to read as follows

Section 1103 Investment Council Subject to any inconsistent provisions in this act contained the Investment Council shall have power and its duties shall be

(a) To assume and exercise control over all funds in the treasury of Pennsylvania which are authorized by law to be invested

(b) To invest such funds in any bonds or other obligations real estate ground rents interest bearing deposits common trust funds mortgage investment funds and preferred stocks which are legal investments for fiduciaries under the provisions of the "Fiduciaries Investment Act of 1949"

(c) To employ an investment analyst and such other employes as may be necessary to perform its work

(d) To take any other action authorized or required by law

Section 4 The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) en titled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" is hereby repealed

Section 5 All acts and parts of acts are herby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. WADE. Mr. President, I object to amendments being offered at this time.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, inasmuch as one of the sponsors of this bill did not as much as extend the courtesy of an opportunity to present amendments to the bill, I must rise to oppose it.

Mr. President, this bill is nothing more than a redraft, to some extent but only worse, of Senate Bill No. 35, which was on the calendar and considered by this Senate for quite sometime and finally returned to committee. When that bill was on the calendar, I objected to it and gave my reasons for my objections, which involved a number of safeguards as well as the broadness of the investments that could be participated in involving schoolteachers' money and State employees' money. It was a redraft of the bill which is now before us. There is some improvement in it in so far as the safeguards are concerned, except for the fact that there is no provision for publicizing the investments that are to be made.

Mr. President, I said, when Senate Bill No. 35 was on the Calendar, from my experience with State Governments and fiscal affairs involved, that the State of New Jersey set up an investment commission and that commission has been used as a model all over the United States. As a matter of fact, it so impressed the Secretary of the United States Treasury that he asked Mr. Margetts, who is the State Treasurer of New Jersey, to invite all of the financial officers of the States to a meeting in Washington to review the system now in force in the State of New Jersey, with the view of going into the matter of investing State funds.

Mr. President, I want to say at this time that I am now in the process of arranging a convention, and a program for that convention, of the National Association of State Auditors, Comptrollers and Treasurers, which will be held in the city of New York, at the Hotel Commodore, from September 16 to 19. I have set aside one full day for a discussion on the establishment of investment commissions, as well as the general investment of State funds.

The Secretary of the Treasury of the United States has been designated to lead that conference.

Mr. President, I note from this bill that an investment council has been set up. However, it does not include any Members of the Legislature. One of the amendments which I propose here was legislative representation; two Members from the House and two Members from the Senate, one representing the Minority Party and the other representing the Majority Party.

Mr. President and Members of the Senate, I think that is important because the Members of the Legislature ought to know what is going on in the State Government, so that when the Legislature meets in Session it can go to one of the members who serve on these boards and commissions and get proper information to guide them.

Mr. President, so far as the advertisement feature is concerned, I just want to read a passage from a letter I received from Mr. Margetts, who is the State Treasurer of the State of New Jersey. When I submitted Senate Bill No. 35 to him for his appraisal, he said this in part:

"Nowhere in your Bill do I find provision for publication of the transactions had with respect to such a program. From my experience, it is absolutely essential to have full and complete publication with respect to all transactions, whether purchases or sales. This is set forth in our Act in Section 14, page 7."

Mr. President, I think it would be interesting, to those of you who are interested, that I read this passage from the New Jersey law setting up this investment commission. This is what it states:

"Monthly Report of Investment Council

"Not later than fifteen days after the close of each month, the Secretary of the Investment Council shall cause to be prepared and made available to the members of the Council, the press and the public, a report of the operations of the Council during such month. Each report shall include a detailed summary of investment, reinvestment, purchase, sale or exchange and transactions, setting forth among other things the investments bought, sold and exchanged, the dates thereof, the prices paid and obtained, the names of the dealers involved and the statement of the funds or accounts affected."

Mr. President, I am sure you will agree that this is very important, especially so since the greater amount of the funds to be invested are trust funds, custodial funds, which belong to the schoolteachers of this Commonwealth and the State employees.

Mr. President, the other amendment that I proposed here, and which I think is important, calls for some safeguards in connection with the type of obligations this council could invest in. I just want to read a section of Senate Bill No. 650, which authorizes the council to invest in certain types of funds. It says at the bottom of page 5, section (b):

"To invest such funds in any bonds"—any bonds, just think of that; any bonds, good, bad, indifferent, it does not make any difference—"or other obligations real estate ground rents interest bearing deposits common trust funds mortgage investment funds and preferred stocks which are legal investments for fiduciaries under the provisions of the 'Fiduciaries Investment Act of 1949.'"

It seems to me, Mr. President, that with these school funds and with these State employees' funds, this investment council can invest in almost anything. I, therefore, look forward to the wolves marching on Harrisburg to dump their bad and indifferent securities and investments, or to make an effort to dump them, on the Commonwealth with school employees' and State employees' funds. I do not think it is fair.

It may be all right, Mr. President, under the Fiduciaries Investment Act to authorize investments, but there is one thing you must bear in mind. A fiduciary who invests funds under his jurisdiction is under the jurisdiction of the court. He is under bond and if he makes a bad investment, he can be surcharged and you can collect for that bond. There are any number of safeguards, but that is not true here. I believe, and I say this in all sincerity, we are stepping on thin ice when we pass a bill such as this.

One of the amendments on the investments, Mr. President, in so far as bonds are concerned, stated that they should be confined to State municipal bonds, for which the full faith and credit of the State or political subdivision is pledged. Then you have some assurance, at least, that the investment is a good investment.

Mr. President, as the bill is drawn now, it is too broad, it is too dangerous and I do not think we should gamble with schoolteachers', school employees' and State employees' funds.

Mr. BERGER. Mr. President, the bill which is presently before us, and which is sponsored by Senator Wade and myself, is the result of an endeavor to enlarge the investment powers of the various funds, the Employes' Retirement Fund and the schoolteachers' Retirement Fund, which at present are considerably restricted.

The gentleman will recall, Mr. President, and the Senate will recall, that there appeared on the calendar for some days a bill designated as Senate Bill No. 35. This was a bill which suggested by one of the State departments, having to do with these investments, in order to permit the funds to invest in securities that would net them somewhat more of a return than those in which they are presently allowed to invest.

I consulted at length with Senator Yosko, on that, and incorporated in that bill a number of amendments which he suggested, but was unable to satisfy him unless I went the whole way and put in everything that he wanted, which was not acceptable to the department. Many of his suggestions were excellent and, as I say, were incorporated.

However, Mr. President, in order to get a bill which would appear to accomplish something in the direction we intended, we prepared Senate Bill No. 650. I want to correct the impression which appears to have been given in the discussion of this bill by the Senator from Northampton, that these funds could invest in any bonds, or any other obligations, or any real estate, any ground rental, interest bearing deposits, common trust funds, mortage investment funds and so forth. Mr. President, they can invest in those things only if that type of security is a legal investment for securities under the provisions of the Fiduciaries Investment Act of 1949.

Mr President, I submit that that restriction is a perfectly reasonable one, and one which has grown around investment funds in banks, trust companies and others having to do with the funds of other persons, and I believe that the invesment council, which is provided for

in this bill, will be able to make proper investments within the scope of the Fiduciaries Act of 1949.

Mr. YOSKO. Mr. President, Senator Berger said that one of the departments asked that this bill be drafted. About the only department that I know of which would make such a request would be the Treasury Department. I, too, contacted the Treasury Department and I was not given to understand any such thing. I know who is lobbying for this bill, without going into names, and let me assure you that it is not the State Treasury Department.

Mr. President, I think the Commonwealth would be on the safer side if it assumed the attitude, for instance, that New York State assumes on the return of investments. This is what the State Treasurer of New York has to say about that. He says:

"Apparently the New York State Legislature have been more concerned regarding the preservation of the principal amount of the fund instead of the income which might be obtained thru the investment in lower grade securities. In my opinion, this policy is sound." I think it is, too.

Mr President, if the Legislature has in years back guaranteed certain funds, a percentage of interest as a return for the money the State has custody of, I, for one, would rather see this Legislature reduce the amount of guaranteed return, which I now understand is four per cent, and the investments do not earn anywhere near that. I have no hesitancy in saying that they will not earn it under this bill here.

However, Mr President, to stay on the safe side, I think we would be better off if we assumed the attidude which is assumed by the State of New York, and other States, in the investment of funds for which the Commonwealth is the trustee and the custodian. They are moneys that are paid into those funds by employees, or taken from their pay, and they are sent here and they should be guarded with everything at our command. I say this bill will not do that thing.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Berger,	Harney,	McCusker,	Taylor,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed.	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	

NAYS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

A majority of al the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 651, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for increase in number and change in terms of members of Authority boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" as last amended by the act approved the twenty-first day of January one thousand nine hundred fifty-two (P. L. 2188) is hereby further amended to read as follows

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of [five members or in case of an Authority one or more projects of which extends or is to extend into or is leased or is to be leased to more than one municipality the board shall consist of] such number of members not less than five as shall be set forth in the articles of incorporation or amendment thereto The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment [and one of whom] unless otherwise provided in the articles of incorporation or amendment thereto one member shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation and if there [be] are more than five members of the board their terms shall be staggered in a similar manner. Thereafter whenever a vacancy has occurred or is about to occur by reason of the expiration of the term of any member the said governing body shall appoint a member of the board for a like term [of five years] to succeed the member whose term has expired or is about to expire

(b) If the Authority is incorporated by two or more municipalities the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five When one or more additional municipalities join an existing Authority each of such joining municipalities shall have such membership on the board as the municipalities then members of the Authority and the joining municipalities may determine by appropriate resolutions Such member or members representing the joining municipality or municipalities shall be appointed immediately upon the admission of such municipalities or municipalities into the Authority for the term of years provided in the application for membership required by section three point one of this act

The members of the board each of whom shall be a citizen of the municipality by which he is appointed or a citizen of a municipality into which one or more of the projects of the Authority extends or is to extend or to which one or more of said projects has been or is to [to] be leased shall be appointed their terms fixed and staggered and vacancies filled and where two or municipalities are members of the Authority shall be apportioned in such manner as the articles of incorporation the amendments thereof or the application for membership required by section three point one of this act shall provide [No member shall be appointed for a term longer than five years]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 661, as follows:

An Act to further amend Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting Commonwealth payments to school districts on account of obligations to the State Public School Building Authority municipality authorities and nonprofit corporations where the districts have not exhausted their borrowing power

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-first day of January one thousand nine hundred fifty-two (P. L. 2195) is hereby further amended to read as follows

Section 2511.1 Payments on Account of Obligations to State Public School Building Authority and on Account of Rentals Payable to Municipality Authorities and Nonprofit Corporations (a) [The] Subject to the provisions of subsection (d) of this section the Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings or providing educational equipment under the provisions of the State Public School Building Authority Act an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental charge as fixed by the State Public School Building Authority or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths ,.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental charge fixed by the State Public School Building Authority

(b) [The] Subject to the provisions of subsection (d) of this section the Commonwealth shall also pay commencing with the school year one thousand nine hundred fifty-one one thousand nine hundred fifty-two (1951-1952) and annually in each school year thereafter to each school district which shall have entered into an approved lease with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the rental or share thereof paid by the school district during the prior school year under its [leave] lease with such municipality authority or non-profit corporation or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental or share thereof paid by the school district during the prior school year under its lease with such municipality authority or non-profit corporation No payment shall be made to any school district on account of any lease entered into with any municipality authority or non-profit corporation unless such lease is approved by the Department of Public Instruction The Department of Public Instruction shall give its approval if it shall find that the leased project is in conformance with general county and State plans for an orderly development of improved attendance areas and administrative units and for the improved housing of public schools in the Commonwealth that the school building will conform with standards and regulations prescribed by the department with respect to educational design location usefulness for community activities safety comfort and convenience and that the school district or school districts to which the project is to be leased will have the ability to meet from current revenues the rental or their respective shares of rental to be paid to the municipality authority or nonprofit corporation under the proposed lease and to defray the cost of their respective shares of the cost of operation and maintenance of the project

(c) The standard reimbursement fraction used for the above purposes shall be the actual fraction as determined by the Department of Public Instruction as provided in clause (6) of section two thousand five hundred one of the act to which this is an amendment without reference to the minimum value of such reimbursement fraction

Payments to a school district shall be determined and approved by the Department of Public Instruction The amount so approved shall be included in and be payable from any future appropriations made to the Department of Public Instruction

(d) In each case provided for in subsections (a) and (b) of this section where the school district has not exhausted its constitutional borrowing power payments by the Commonwealth shall be computed on the proportionate part of the annual rent charge or rental determined by a fraction whose numerator is the total cost of the building or equipment less the amount the district may still constitutionally borrow and whose denominator is the total cost of the building or equipment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 680, Printer's No. 401, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 696, as follows:

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by further regulating credit for service with a school district of the first class for members of a first class city pension fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1626) is hereby further amended to read as follows

Section 11 The time of service herein specified namely twenty years or in case of the lesser pension fifteen years or more but less than twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person or persons who shall be employed after the passage of this act and who shall have been employed by the said cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen

[The time of service shall include service with a school district of the first class coterminous with the city or county of the first class if the person claiming such credit shall within one year after joining the pension fund pay into the fund the contributions he or she would have paid had he or she been employed during the same years by the city or county at the same salary received from the school district]

The time of service shall include twenty thirty-fifths of service with a school district of the first class coterminous with the city or county of the first class if the person claiming such credit shall within one year after the effective date of this amendment or within one year after joining the pension fund in the case of any person who may hereafter join the pension fund pay into the fund the contributions he or she would have paid had he or she been employed during the period of credited service by the city or county at the same salary received from the school district In no case shall credited service with a school district exceed ten years

For the purpose of determining the total number of years or months of service or contribution under this act any period of fifteen days or more but less than a month beyond the total number of full months shall be considered a "month of service"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 720, entitled:

An Act to amend Section 1404 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing penalties for authorizing, conducting, or assisting in medical and dental examinations of school children, teachers and employes at a rate in excess of the rate provided by law

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1404), page 2, line 18, by inserting after "prosecution": "and in default of the payment thereof shall undergo imprisonment for not more than thirty (30) days"; Amend Sec. 1 (Sec. 1404), page 3, line 2, by inserting after "prosecution": "and in default of the payment thereof shall undergo imprisonment for not more than sixty (60) days."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 722, as follows:

An Act to reenact and further amend Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicle tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for certain exemptions from fees charged for certificates of title and registration of motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the acts approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1264) and the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1352) is hereby reenacted and further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post organization or combination of organizations of the American Legion Veterans of Foreign Wars Phillipine Pacific War Veterans Navy Club of the United States United States Army Ambulance Corps Disabled American Veterans American Veterans of World War II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (1) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions No fee shall be charged for certificates of title or resignation of motor vehicles owned and used by war amputees or blind veterans which were obtained through the Veteran's Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and the nays weer taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the written approval of the comptroller of requisitions for money appropriated to State departments boards or commissions

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of Commonweayth" as last amended in part by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Pamphlet Laws 593) is hereby further amended to read as follows

Section 1501 Requisitions No money shall be paid out of any fund in the State Treasury except (1) the State Workmen's Insurance Fund (2) the Surplus Commodities Stamp Fund and (3) the Historical Preservation fund until a requisition therefor shall have been presented to or prepared by the Auditor General

For money appropriated to the Governor or to the Executive Board the Governor shall prepare requititions and present them to the Department of the Auditor General

For money appropriated to the Lieutenant Governor he shall prepare requisitions and present them to the Department of the Auditor General

For money appropriated to administratnve departments or to independent administrative boards or commissions the respective departments boards or commissions shall prepare their requistions wth the written approval of their respective comptrollers noted thereon and present them to the Department of the Auditor General

For money appropriated to departmental administrative boards or commssions or advisory boards or commissions such boards or commissions shall prepare requisitions and forward them to the departments with which they are respectively connected Such departments if they approve the requisitions shall so signify in wrting and shall transmit them to the Department of the Auditor General No requisitions of a departmental administrative board or commission or of an advisory board or commission shall be valid without the approval in writing of the head and the comptroller of the department with which such board or commission is connected

For money appropriated to a person association corporation or agency not a part of the executive branch of the State Government the person association corporation or agency to whom or to which the appropriation was made shall prepare requisition and present them to the Department of the Auditor General but whenever in any such case any other act of Assembly requires the requisition to be approved by an administrative department of the State Government other than the Department of the Auditor General it shall be forwarded to the Department of the Auditor General through such other administrative department

For money approprated for a purpose without designation of the expending agency the Department of the Auditor General shall prepare requisitions

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last three lines of Title, by striking out "requiring" in the third from last line and all of the last two lines and inserting in lieu thereof: "defining the powers and duties of the Department of the State Comptroller and the State Comptroller; providing for the installation and maintenance of a uniform system of accounts of Commonwealth finances and of accounting reports based thereon; imposing duties on every Commonwealth agency receiving or disbursing moneys from or on behalf of the Commonwealth and further regulating the disbursement of moneys from the State Treasury"; Amend Sec. 1, page 3, line 1, by striking out "Section fifteen hundred one" and inserting in lieu thereof: "Sections 2, 8, 204 and 206"; Amend Sec. 1, page 4, lines 4, 5, and 6, by striking out all of said lines; Amend Sec. 1, (Sec. 1501), page 4, lines 7 to 19, by striking out all of

said lines; Amend Sec. 1 (Sec. 1501), page 5, lines 1 to 19, by striking out all of said lines; Amend Sec. 1 (Sec. 1501), page 6, lines 1 to 7, by striking out all of said lines and inserting in lieu thereof: "are hereby amended to read as follows:"

"Section 2. General Scope of the Act.—This act is intended to define the powers and duties of the Department of Revenue, the Treasury Department, the Department of the Auditor General, the Department of the State Comptroller the Secretary of the Commonwealth, the Board of Finance and Revenue, the Board of Fish Commissioners, the Board of Game Commissioners, county treasurers, registers of wills, mercantile appraisers and other statutory agents with respect to the collection of taxes and other moneys due the Commonwealth, the custody and disbursement or other disposition of all funds and securities belongng to or in the possession of the Commonwealth, the maintenance of the accounts of all Commonwealth funds, securities and claims and the rendering of accounting reports based thereon and the settlement of claims against the Commonwealth.

"This act is not intended to change the incidence or amount of any existing tax license fee or bonus payable to the Commonwealth or any agency thereof, under existing law or to impose any new tax license fee or bonus accruing to the Commonwealth or any agency thereof, nor is it intended to provide for the organization of any department, board or commission. The organization of all agencies whose powers and duties are defined by this act shall continue to be governed by the Administrative Code and other applicable laws.

"Section 8. Payments.—All payments of bonus, taxes, fees or other moneys now by law required to be made to the Auditor General or to the State Treasurer, shall after the effective date of this act, be made to the State Treasurer either directly or through the Department of Revenue as provided by this act, no matter by what agency such bonus, taxes, fees or other moneys shall be collected from the person, association, corporation, political subdivision or officer liable to pay them to the Commonwealth or to any officer of the Commonwealth.

"Section 204. License Fees.—The Department of Revenue shall have the power and its duty shall be:

"(a) To exercise all of the powers and perform all of the duties heretofore exercised and performed by the Department of Highways or the Secretary of Highways in connection with the collection of fees for registering and titling motor vehicles and trailers and for licensing operators of vehicles and in the collection of fines and penalties imposed upon violators of the laws regulating the registration, titling and operation of vehicles upon the highways.

"(b) To prepare, procure and supply to the county treasurers of the several counties to be issued by them upon the payment of the fees, if any, prescribed by law.

"1. Forms of resident and nonresident fishing licenses.

"2. Fishing license buttons to be issued in conjunction with resident and nonresident fishing licenses.

"3. Forms of resident and nonresident hunters' license certificate.

"4. Hunters' license tags to be issued in conjunction with resident and nonresident hunters' license certificates.

"5. Forms of dog license.

"6. Dog license tags to be issued in conjunction with dog licenses and

"7. Forms of kennel license.

"The certificates, licenses, buttons and tags to be furnished by the Department of Revenue to the county treasurers hereunder shall comply with the requirements of the laws providing for the issuance thereof.

"(c) To issue resident and nonresident fishing licenses and resident and nonresident hunters' licenses to persons applying to the department therefor and entitled thereto under the fish and game laws respectively, upon payment of the fees prescribed by law and after the effective date of this act, such licenses shall be issued only by the county treasurers and by the Department of Revenue and

"(d) If at any time, it shall believe the best interests of the Commonwealth would be subserved by so doing with the approval of the Governor to discontinue the issuance through the county treasurers of resident and nonresident hunters' licenses, resident and nonresident fishermen's licenses, dog licenses and kennel licenses and thereafter to issue all such licenses directly and

"[(e) To receive for transmission to the State Treasury, all other license fees of every kind and description collected for the Commonwealth by any statutory agent thereof, or by any administrative department, independent administrative board or commission or departmental, administrative board or commission and]

"(f) To supervise the collection by county officers of any license fees which it is the duty of such officers to collect as agents of the Commonwealth.

"Section 206. Other Collections.—The Department of Revenue shall have the power and its duty shall be:

"(a) To collect all amounts payable out of the estates of inmates for their care and maintenance in State-owned institutions for mental patients, mental defectives or epileptics and all amounts payable by other persons or by political subdivisions of this Commonwealth or by the Federal Government or any agency thereof for the care and maintenance in such institutions of persons whose estates are insufficient to enable the entire cost of their care and maintenance to be collected therefrom.

"(b) To collect from patients or from the persons legally liable therefor, all amounts becoming due for the treatment, care and maintenance of such patients in State-owned hospitals.

"(c) To collect from counties and the Federal Government amounts due by them respectively for the cost or their share of the cost of maintaining prisoners in State penal or correctional institutions.

"[(d) To collect all amounts payable by or for pupils for instruction and maintenance in State-owned educational institutions, including State normal schools and State teachers' colleges.]

"(e) To collect from political subdivisions of this Commonwealth, all sums payable by them as their share of the cost of improving and rebuilding the highways of the Commonwealth.

[(f) To receive for transmission to the officer of this Commonwealth, if any, specified in the act of Congress appropriating the money and if no officer be thus designated to the State Treasurer any moneys contributed by the Federal Government to this Commonwealth or any agency thereof for any purpose.]

"(g) To collect from magistrates, aldermen, justices of the peace, burgesses and mayors, all fines and penalties imposed by them for violations of acts of Assembly and payable into the State Treasury or to any department, board or commission of the State Government.

"(h) Except as otherwise in this act provided, to collect all other revenue of any kind or description payable to the Commonwealth.

"[In all cases in which existing laws provide that any moneys collectible under this section] Except in cases where the law provides that the moneys collectible shall be payable to any other department or to any board, commission or officer of the State Government [the Department of Revenue shall act as agent of such department, board, commission or officer in making collection of such moneys.]"; "Amend Sec. 2, page 6, lines 8 and 9, by striking out all of said lines and inserting in lieu thereof: "Section 2. Sections 209, 210 and 304 of said act as amended by the act, approved the first day of June, one thousand nine hundred thirty-one (P. L. 318), are hereby further amended to read as follows:

"Section 209. Transmission of Moneys.—All moneys received by the Department of Revenue during any day shall be transmitted promptly to the Treasury Department and the Treasury Department shall forthwith issue its receipt to the Department of Revenue for such moneys and credit them to the fund and account designated by the Department of Revenue.

"Detailed statements of all moneys received shall be furnished to the Treasury Department [and] the Department of the Auditor General and the Department of the State Comptroller contemporaneously with the transmission of such moneys to the Treasury Department.

"Section 210. Agents of Department of Revenue for the Collection of Money.—The Department of Revenue shall have authority to appoint agents in any place within this Commonwealth for the collection of moneys due the Commonwealth, except taxes and fees now collectible by county officers and except fees and other moneys collectible by other departments, boards and commissions and which under the provisions of this amendment are to be transmitted directly to the Treasury Department.

"To facilitate the collection of [money from persons who are inmates, patients or pupils of State institutions or who have business with administrative departments, boards or commissions, such agents shall be placed in every such institution, including State normal schools and teachers' colleges and in the offices of such departments, boards or commissions] moneys which the Department of Revenue is required by this act to collect through certain administrative departments, boards and commissions from inmates or patients of State institutions or from persons having business with those departments, boards or commissions such agents shall be placed in every such institution and in the offices of those departments, boards and commissions. It shall be lawful for the Secretary of Revenue to designate any regular employe of any such administrative department, board or commission with the consent of [such] the department, board or commission as the agent of the Department of Revenue for the collection or receipt of money, but no regular employe thus designated by the Secretary of Revenue, shall receive any extra compensation for acting as such agent, except with the approval of the Executive Board.

"For all moneys collected by its agents, such agents shall issue receipts on behalf of and in the manner prescribed by the Department of Revenue, except that where money is paid for the issuance of a license or certificate, no receipt shall be issued unless the Department of Revenue so determines.

"All agents shall furnish the Department of Revenue with detailed statements of all moneys received, collected and transmitted and shall keep records of the amounts owing to or due the Commonwealth and such other records as shall be required by the Department of Revenue. The form of all such statements and records shall be prescribed by the Department of Revenue.

"All agents of the Department of Revenue shall be bonded in such amounts as shall be determined by the Secretary of Revenue with the approval of the Executive Board and the Secretary of Revenue shall be responsible for the actions of employes of other departments, boards and commissions designated by him as agents of the Department of Revenue to the same extent to which he is responsible for the actions of employes of his own department.

"Section 304. Interest on Deposits, Rate, Reports.—It shall be the duty of the Treasury Department to collect from all State depositories, interest on State deposits. Active and inactive depositories shall pay interest at such rates as shall be prescribed by the Board of Finance and Revenue, except that if an active account is opened in an inactive depository by a department other than the Treasury Department or by a board or commission, the rate of interest thereon may with the approval of the Board of Finance and Revenue be reduced to that payable by active depositories. Interest on deposits shall in all cases be credited to the fund upon which the interest was aarned, except that interest on deposits of the Liquid Fuels Tax Fund shall be credited to the Motor License Fund and interest on deposits of the Fire Insurance Tax Fund shall be credited to the State Insurance Fund.

"Interest payable hereunder shall become due semi-annually on the thirtieth day of June and the thirty-first day of December each year and it shall be the duty of every bank, banking institution and trust company, acting as a State depository to make an interest report relative to its State deposits to the Treasury Department in triplicate within thirty days after the dates above set forth. The Treasury Deparment shall retain one copy of the report, transmit one to the Department of the Auditor General for audit and the third to the [Department of Revenue] Department of the State Comptroller for its information.

"If any bank, banking institution or trust company shall within thirty days after the end of any interest period fail to make such report for such period, the Treasury Department shall certify that fact to the [Department of Revenue] Department of the State Comptroller with such information as shall enable that department to settle and collect the penalty hereinafter in this act provided.

"Section 3. Sections 305 and 306 of said act are hereby amended to read as follows:

"Section 305. Receipts.—It shall be the duty of the Treasury Department to issue its receipt to [the Department of Revenue] any department, board or commission for all moneys transmitted by [the Department of Reve-

nue] that department, board or commission to the Treasury Department.

"Section 306. [Audit of Requisitions and] Adjustment of Claims.—The Treasury Department hall cooperate with the Department of Auditor General and the Department of the State Comptroller in the examination and [audit of requisitions for disbursements and in the examination and] adjustment of claims against the Commonwealth as hereinafter in this act provided.

"Section 4. Section 307 of said act as amended by the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 593), is hereby further amended to read as follows:

"Section 307. Disbursements.—No money shall be paid from any of the funds of the State Treasury, except upon [warrant of the Auditor General issued upon requisition pursuant to law] requisitions which have been approved or prepared by the State Comptroller, except (1) moneys in the State Workmen's Insurance Fund, which may be disbursed by check of the State Treasurer, upon requisition of the Secretary of Labor and Industry (2) moneys in the Surplus Commodities Stamp Fund, which may be disbursed by check of the State Treasurer upon requisiton of the Secretary of Public Assistance and (3) moneys in the Historical Preservation Fund which may be disbursed by check of the State Treasurer upon requisition of the Pennsylvania Historical and Museum Commission.

"Section 5. Section 403 of said act is hereby amended to read as follows:

"Section 403. Audits of Agencies Receiving State Aid.—The Department of the Auditor General shall have the power and its duty shall be to audit the accounts and records of every person, association, corporation and public agency receiving an appropriation of money payable out of any fund in the State Treasury or entitled to receive any portion of any State tax for any purpose whatsoever as far as may be necessary to satisfy the department that the money received was expended [or is being expended] for no purpose other than that for which it was paid. Copies of all such audits shall be furnished to the Governor.

"If at any time the department shall find that any money received by any person, association, corporation or public agency has been expended for any purpose other than that for which it was paid, it shall forthwith notify the Governor [and shall decline to approve any further] and the State Comptroller. The State Comptroller shall not approve any requisition for the payment of any appropriation or any further portion of any State tax to such person, association, corporation or public agency, until an amount equal to that improperly expended shall have been expended for the purpose for which the money improperly expended was received from the State Treasury.

"Section 6. Section 404 of said act is hereby repealed.

"Section 7. Said act is hereby amended by adding immediately following Article IV thereof, a new article to read as follows:

"Article IV-A

"Department of the State Comptroller

"Section 401 A. Modern Integrated System of Accounts.—(a) The Department of the State Comptroller shall install and maintain a modern integrated system of accounts conforming to and consistent with proper governmental accounting standards. The accounting system shall reflect on an accrual basis the financial condition and operation of the Commonwealth and all the agencies receiving or disbursing moneys from or on behalf of the Commonwealth.

"(b) Such system of accounts shall also (1) distinguish technically between capital and revenue expenditures, (2) include a complete system of proprietary and corollary budgetary accounts (3) treat each statutory fund as an entity and recognize trust agency special purposes and working capital funds as well as the general operating fund (4) provide for the recording of all encumbrances at the time created by Commonwealth commitments against the appropriation or fund affected.

"(c) Such system of accounts shall make uniform application and use of the detailed code of accounts to be prescribed by the State Comptroller as hereinafter provided.

"(d) Commonwealth activities similar to private enttrprises in operation shall be treated as such in so far as the application of such system of accounts is concerned.

"Section 402-A. Accounts and Reports of Commonwealth Agencies Code and Manual of Accounts.—(a) The Department of the State Comptroller shall in conformity with the modern integrated system of accounts hereinbefore set forth, supervise and direct the form, manner and content of accounts to be kept by any Commonwealth agency and the form, manner and content of accounting reports and statements to be rendered by such agency.

"(b) For such purpose the Department of the State Comptroller shall prepare and keep up to date for the use of all such Commonwealth agencies, a code of accounts, either numerical, alphabetical or both and a manual of accounts setting forth the nature of the integrated system of accounts, the definitions and classifications of each account therein, such form as it shall prescribe and types of statements to be submitted to it and the methods for their preparation.

"(c) The Department of the State Comptroller shall prescribe and it shall be the duty of each Commonwealth agency to furnish the department with reports of all financial claims against the Commonwealth or accruing to the Commonwealth against others and any other financial data actual or contingent which the department deems necessary to the conduct of its office.

"Section 403-A. Quarterly Statements by the State Comptroller and Commonwealth Agencies.—(a) Within thirty (30) days after the end of each quarter of the fiscal year, the State Comptroller shall have prepared a complete statement of the financial condition and operation of the Commonwealth which shall be both current for the preceding quarter and cumulative for the then current fiscal biennium.

"(b) In respect to the financial condition of the Commonwealth, such statement shall show the financial condition of each of the component funds.

"(c) In respect to the financial operation of the Commonwealth, such statement shall show the actual financial condition and operation as compared with the projected budgeted financial condition and appropriations respecting operations of each Commonwealth agency.

"(d) Within thirty (30) days after the end of each fiscal year, the State Comptroller shall submit one copy of such statement to the Governor, one to the General

Assembly, when in session or to the Joint State Government Commission, when the General Assembly is not in session and shall make available suhch statement for the information of the general public.

"(e) The provisions of subsections (a), (b), (c) and (d) of this section, shall not be mandatory upon the State Comptroller, until the first day of June, one thousand nine hundred fifty-four.

"(f) It shall be the duty of every Commonwealth department and agency keeping accounts to transmit to the State Comptroller not later than the fifteenth day of every month, such statements as the State Comptroller may require.

"Section 404-A. Approval of Requisitions for Disbursements.—The Department of the State Comptroller shall carefully examine all requisitions submitted to it for approval for the payment of money by the State Treasurer out of any fund of the State Treasury and shall approve the same for payment only if such expenditures are (1) in conformity with the budget appropriations and allocations set aside therefor, consistent with the financial records maintained by the department (2) within the functions of the source requesting the expenditure (3) properly vouchered and (4) for value received. Payment shall be made by the State Treasurer on such requisitions only after approval by the State Comptroller.

"Section 405-A. Mandamus.—The State Comptroller shall have the power and it shall be his duty to bring an action of mandamus to enforce compliance with the powers and duties of the department.

"Section 8. Sections 602 and 605 of said act are hereby amended to read as follows:

"Section 602. Insurance Commissioner to Collect Fees, Fines and Penalties.—The Insurance Commissioner shall continue to collect all fines and penalties which he is now authorized to impose and collect and all license and other fees which he is authorized by law to collect from persons, associations and corporations subject to the jurisdiction of the Insurance Department [but the Department of Revenue shall assign to the Insurance Department an agent or designate an employe of the Insurance Department as its agent for the purpose of receiving] and all such fees, fines and penalties shall be promptly transmitted to the Treasury Department.

"Section 605. Other Departments, Boards and Commissions of the State Government to Continue to Collect Certain Fees, Et Cetera.—[Subject to any inconsistent provisions elsewhere in this act contained] Except as otherwise provided in this act every administrative department, every independent administrative board or commission and every departmental administrative board or commission of the State Government, which is authorized by law to collect any [taxes] fees, charges or other moneys except taxes payable to such department, board or commission for its use or for the use of the Commonwealth for registrations, licenses, examinations, inspections, services rendered, permits or any other purpose or reason whatsoever shall continue to collect such [taxes] fees, charges or other moneys and subject as aforesaid shall continue to collect all fines, penalties and bail forfeited, which it is authorized by law to collect [but the] All such moneys shall be promptly transmitted directly to the Treasury Department. The Department of Revenue shall assign an agent to any [such] department, board or commission [an agent] in or through which it is required under the provisions of this act to collect any moneys, or designate as its agent an employe of such department, board or commission for the purpose of receiving all moneys payable to such department, board or commission.

"Section 9. Sections 1209 and 1210 of said act, as amended by the act, approved the first day of June, one thousand nine hundred thirty-one (P. L. 318), are hereby further amended to read as follows:

"Section 1209. Collection of Amounts Payable to Certain State Institutions.—The Department of Revenue shall place its agent in every State institution, except State-owned educational institutions including State Normal Schools and State Teachers' Colleges for the purpose of collecting all moneys due to such institutions from patients [pupils] inmates or the estates of such patients [pupils] or inmates or from any political subdivision of this Commonwealth, including [school districts and] poor districts [or from the Federal Government] or from any other person, association, corporation, or public agency whatsoever, for care, treatment, instruction, maintenance or any other expense, chargeable for or on account of such patients, [pupils] or inmates.

"All bills rendered hereunder shall be in the style, "Commonwealth of Pennsylvania, Department of Revenue, Agent for the Collection of Moneys Owing to (name of institution or its board of trustees)."

"All such bills shall be due when rendered, and shall bear interest at the rate of six per centum per annum from thirty days after their date.

"Section 1210. Collections Made by Departments, Boards and Commissions Other Than the Department of Revenue.—[All] Except as otherwise provided in this act all collections of every kind and description, which any department, board, or commission of the State Government is by this act authorized to continue to make shall be [turned over] transmitted immediately upon the receipt thereof [to the agent or the Department of Revenue assigned to or designated in such department, board, or commission] directly to the Treasury Department.

"Copies of all bills rendered by every department, board, and commission shall be forwarded to the Department of the Auditor General and to the Department of [Revenue] the State Comptroller not later than the business day following their date.

"Section 10. Article XII of said act, is hereby amended by adding immediately after Section 1210 a new section to read as follows:

Section 1211. Statements of Money Received.—Detailed statements of all moneys received by any department, board, or commission other than the Department of Revenue shall be furnished to the Treasury Department, the Department of the State Comptroller and the Department of the Auditor General, contemporaneously with the transmission of such moneys to the Treasury Department.

"Section 11. Section 1501 of said act, as last amended in part by the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 593), is hereby further amended to read as follows:

"Section 1501. Requisitions.—No money shall be paid out of any fund in the State Treasury, except (1) the State Workmen's Insurance Fund, (2) the Surplus Commodities Stamp Fund, and (3) the Historical Preservation Fund, until a requisition therefor shall have been pre-

sented to or prepared by the [Auditor General] State Comptroller.

"For money appropriated to the Governor or to the Executive Board, the Governor shall prepare requisitions and present them to the Department of the [Auditor General] State Comptroller.

"For money appropriated to the Lieutenant Governor, he shall prepare requisitions and present them to the Department of the [Auditor General] State Comptroller.

"For money appropriated to administrative departments, or to independent administrative boards or commissions, the respective departments, boards or commissions shall prepare their requisitions and present them to the Department of the [Auditor General] State Comptroller.

"For money appropriated to departmental administrative boards or commissions or advisory boards or commissions, such boards or commissions shall prepare requisitions and forward them to the departments with which they are respectively connected. Such departments, if they approved the requisitions, shall so signify in writing and shall transmit them to the Department of the [Auditor General] State Comptroller. No requisition of a departmental administrative board or commission or of an advisory board or commission shall be valid without the approval in writing of the department with which such board or commission is connected.

"For money appropriated to a person, association, corporation or agency, not a part of the executive branch of the State Government, the person, association, corporation or agency to whom or to which the appropriation was made, shall prepare requisitions and present them to the Department of the [Auditor General] State Comptroller, but whenever, in any such case, any other act of Assembly requires the requisition to be approved by an administrative department of the State Government, other than the Department of the [Auditor General] State Comptroller, it shall be forwarded to the Department of the [Auditor General] State Comptroller through such other administrative department.

"For money appropriated for a purpose, without designation of the expending agency, the Department of the [Auditor General] State Comptroller shall prepare requisitions.

"Section 12. Said act is hereby amended by adding immediately following Section 1501 thereof, a new section to read as follows:

"Section 1501.1. Approved Requisitions Forwarded to Treasurer.—All approved requisitions for the payment of any money out of any fund of the State Treasury shall be forwarded by the State Comptroller to the State Treasurer for payment.

"Section 13. Section 1502 of said act is hereby amended to read as follows:

"Section 1502. [Audit of Requisitions and Issuance of Warrants.—All requisitions shall be audited by the Department of the Auditor General, and, if they appear to be lawful and correct, the department shall approve them and transmit them to the Treasury Department for examination and approval. Otherwise, they shall be returned to the source from which they came for revision, correction, or cancellation.

"If the Treasury Department shall approve a requisition, which has been approved by the Department of the Auditor General, it shall note its approval thereon in writing and return the same to the Department of the Auditor General. Thereupon the Auditor General shal draw his warrant upon the State Treasurer for the payment of the amount in which the requisition has been approved.

"If on the other hand, the Treasury Department shall disapprove such requisition, in whole or in part, it shall note its disapproval, in writing, together with its reasons, for disapproval, and shall return the requisition to the Department of Auditor General, and thereupon the Department of the Auditor General shall reconsider its approval.

"If the Treasury Department shall have entirely disapproved of the requisition, and, upon reconsideration, the Department of the Auditor General shall agree with such action, the requisition shall be returned to the source from which it came, together with a written statement from the Department of the Auditor General explaining why the requisition has been disapproved.

"If the Treasury Department has approved a requisition in part only, and, upon reconsideration, the Department of the Auditor General shall agree with the Treasury Department that the requisition should be approved in part only, it shall modify its prior approval of the requisition, and the Auditor General shall issue his warrant on the State Treasurer for the amount in which both departments have approved the requisition.

"If the Department of the Auditor General, upon reconsideration, shall be unable to agree with the views of the Treasury Department, it shall lay before the Governor the requisition, together with all the papers and correspondence attached or appertaining thereto, and the Governor shall decide the issue raised between the two departments. Should the Governor determine that the requisition ought to be approved in whole or in part, it shall be the duty of the Auditor General to issue his warrant in accordance with the directions of the Governor. Should the Governor determine that the requisition ought to be disapproved, the Department of the Auditor General shall, upon receiving it from the Governor, return it to the source from which it came, with a written statement of the reasons for which it was disapproved.] Disapproval of Requisition: Appeal to Governor.—If the State Comptroller disapproves a requisition from any department or agency he shall return the requisition and advise the department or agency in writing stating reasons for his action, and it shall be the privilege of the department or agency to appeal the decision to the Governor whose decision shall be final.

"Should the Governor disapprove the action of the State Comptroller, in whole or part, it shall be the duty of the State Comptroller to act in accordance with the directions of the Governor.

"Section 14. Subsection (b) of Section 1503 of said act, as added by the act, approved the sixth day of June, one thousand nine hundred thirty-nine (P. L. 261), is hereby amended to read as follows:

"Section 1503. Payments.—

* * * * *

"(b) All payments out of the several funds in the State Treasury appropriated for public assistance shall be made by check of a form prescribed and furnished by the Treasury Department, but filled in as to name of payee and amount by the Department of Public Assistance. As soon after the effective date of this act, as practicable,

but not later than sixty (60) days after such date, the Department of Public Assistance shall requisition the Treasury Department for supplies of serially numbered blank checks, upon which to prepare disbursements for public assistance, grants and shall give its receipt to the Treasury Department for such blank checks provided, the Department of Public Assistance shall thereupon, enter the name and address of the payee and the amount of payment and such other information as shall be necessary, after which it shall prepare a requisition on the [Auditor General] State Comptroller in the total amount of such checks and the [Auditor General shall issue his warrant on the Treasury Department in the same total amount] State Comptroller shall approve same for payment. Upon receipt of [this warrant] the approved requisition the Treasury Department shall sign and mail the checks to the payees designated thereon. This procedure shall be followed in Harrisburg and at such points outside the City of Harrisburg as the Governor shall determine.

"Section 15. Section 1504 of said act, as last amended by the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1006), is hereby further amended to read as follows:

"Section 1504. Advances Out of Appropriations.—Whenever an appropriation shall have been made to any department, board or commission of the State government or to the board of trustees or other agency in charge of any semi-State institution, which is intended for expenses of such a nature as to make it impracticable for such department, board, commission, board of trustees or agency to file, with the Department of the [Auditor General] State Comptroller, itemized receipts or vouchers, prior to the payment of such expenses, upon requisition [and warrant] in the usual way such department, board, commission, board of trustees or other agency may make requisition upon the [Auditor General] State Comptroller from time to time for such sum or sums of the appropriation as may be necessary to meet such expenses and the [Auditor General] State Comptroller shall [draw his warrant upon the State Treasurer] approve the requisition for such sum or sums to be paid by the State Treasurer out of the appropriation. The total amount of requisitions for advancements from any appropriation, less the total amount of properly itemized receipts or vouchers filed with the [Auditor General] State Comptroller accounting for such advancements, shall never exceed an amount approved by the Governor, nor shall it, in any case, exceed the amount of the bond of the officers or individual having control of the disbursements from the funds advanced.

"Requisitions for advances hereunder to any departmental administrative board or commission must be approved by the department with which such board or commission is connected, prior to the presentation thereof to the [Auditor General] State Comptroller.

"Any department, board, commission, board of trustees or agency having received an advance hereunder shall,

"(1) Whenever required by the [Auditor General] State Comptroller, file specifically itemized vouchers, in such form as may be prescribed by him, accounting for all money expended out of such advance;

"(2) At the end of the appropriation period, return to the State Treasury all unexpended balances of such advance before any advance shall be made out of any succeeding appropriation or requisition, the [Auditor General] State Comptroller to credit the expiring appropriation, and charge the new appropriation with the exact amount of cash on hand at end of the period: Provided, That advances to local county boards of assistance under the Public Assistance Law for reasonable emergency funds may be made before unexpended balances of advancements out of any previous appropriation are actually returned by such boards to the State Treasury;

"(3) Deposit all moneys advanced, in the name of the Commonwealth, in a State depository, and certify the name thereof to the State Treasurer.

"Section 16. Section 1505 of said act is hereby amended to read as follows:

"Section 1505. Advances to State Aegncies Having Funds to Invest.—Whenever any administrative department, board or commission, whose duty it is to invest funds in securities, shall desire to bid for the whole or any part of a bond issue for which bids are invited by the issuer thereof, and the invitation to bidders require the deposit of a check or a certified check in order to validate all bids, the department, board, or commission, having the funds to invest, and having procured the approval of the Governor in writing to the bid which it proposes to make, may requisition the [Auditor General to draw his warrant on the State Treasurer] State Comptroller for such amount, payable out of the fund to be invested, as shall be necessary to validate the bid which such department, board, or commission proposes to make.

"In each such case, it shall be the duty of the [Auditor General] State Comptroller promptly to [draw his warrant] approve the requisition, and of the State Treasurer promptly to issue a check, and, if necessary, have it certified by the depository against which it is drawn, in favor of the issuer of the securities in the amount of the requisition.

"It shall be unlawful for any department, board, or commission to make any use of any such check, otherwise than for the purpose for which it was issued, and, if such department's, board's, or commission's bid shall not be accepted, the check shall forthwith be returned to the State Treasurer for cancellation.

"Section 17. All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

"Where any law provides that a warrant or warrants shall be drawn upon the Auditor General or by the Auditor General for the payment of money out of the State Treasury, it is the intent of this act, that in lieu of such warrant a requisition shall be submitted to the State Comptroller for approval or shall be issued by the State Comptroller, as the case may be for the payment of such money by the State Treasurer.

Section 18. The provisions of this act shall become effective the first day of June, one thousand nine hundred fifty-four."

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. Mr. President, I object to the amendments.

MOTION THAT AMENDMENTS BE ADOPTED

Mr. YOSKO. Mr. President, I move that the amendments be adopted.

Mr. HOLLAND. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, since the amendments were not adopted, for reasons stated in connection with Senate Bill No. 752, I request that this bill be defeated.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Berger,	Harney,	McCusker,	Taylor,
Blass,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Stevenson,	

NAYS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 772, as follows:

An Act to amend the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1734) entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts" by changing the composition of the Twenty-eighth and Twenty-ninth Congressional Districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much as designates the composition of the Twenty-eighth and Twenty-ninth Congressional Districts of the Commonwealth of Pennsylvania of Section one of the act approved the twenty-second day of December one thousand nine hundred fifty-one (P. L. 1734) entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts" is hereby amended to read as follows

Section 1 For the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the Congress of the United States this Commonwealth shall be divided into thirty (30) districts which shall have one Congressman each as follows

* * * * *

The Twenty-eighth District shall consist of the first second third fourth fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth twenty-second twenty-third [and] twenty-fourth and twenty-fifth wards of the city of Pittsburgh

The Twenty-ninth District shall consist of the twenty-first [twenty-fifth] twenty-sixth and twenty-seventh wards of the city of Pittsburgh the boroughs of Aspinwall Avalon Bellevue Ben Avon Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Churchill Edgewood Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Oakmont Osborne Sewickley Sewickley Heights Sharpsburg Springdale Tarentum Verona West View and Wilkinsburg and the townships of Aleppo East Deer Fawn Franklin Frazer Hampton Harrison Harmar Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Penn Pine Plum Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer all in the county of Allegheny

Section 2 The first election under this amending act shall be held at the primary election in the year one thousand nine hundred fifty-four

The members of Congress now in office from the Twenty-eighth and the Twenty-ninth Congressional Districts shall continue in such offices until the expiration of their respective terms

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursements by the Commonwealth to school districts on account of instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L.

1783) is hereby further amended to read as follows

Section 2502 Payments on Account of Instruction Every school district and every vocational school district shall be paid by the Commonwealth on account of the instruction of all pupils in average daily membership in the district's public schools joint elementary schools and joint high schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools joint elementary schools and joint high schools by the district's standard reimbursement fraction and for the school year 1950-1951 by three thousand eight hundred fifty dollars $3850) for the school year 1951-1952 by four thousand dollars ($4000) for the school year 1952-1953 by four thousand three hundred dollars ($4300) for the school year 1953-1954 by four thousand five hundred dollars ($4500) for the school year 1954-1955 by four thousand seven hundred dollars ($4700) for the school year 1955-1956 by four thousand nine hundred dollars ($4900) for the school year 1956-1957 by five thousand one hundred dollars ($5100) for the school year 1957-1958 by five thousand three hundred dollars $5300) for the school year 1958-1959 and for each school year thereafter by five thousand five hundred dollars ($5500) Provided That the amount of payment to be made by the Commonwealth to any school district during the school year [1951-1952 and 1952-1953 for the school years 1950-1951 and 1951-1952] 1953-1954 and 1954-1955 for the school years 1952-1953 and 1953-1954 on account of the instruction of pupils under the provisions of this section shall not be less than the amount paid to the district during the school year 1949-1950 on account of the instruction of pupils Provided further That if the number of teaching units in any school district for the school year [1950-1951 or 1951-1952] 1952-1953 or 1953-1954 is less than the number of teaching units for the school year 1948-1949 the payment by the Commonwealth shall be reduced proportionately

In addition to the payments hereinbefore specified the following supplemental payments shall be made to the district of residence on account of pupils enrolled in elementary schools or high schools operated by joint boards of which the district of residence is a member and pupils enrolled in schools operated by union or merged districts

(1) In the case of joint elementary schools five hundred dollars ($500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence

(2) In the case of joint high schools five hundred dollars ($500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence

(3) In the case of elementary schools operated by union or merged districts eight hundred dollars ($800) per teaching unit multiplied by the district's standard reimbursement fraction

(4) In the case of high schools operated by union or merged districts eight hundred dollars ($800) per teaching unit multiplied by the district's standard reimbursement fraction

In all cases the supplemental payment specified in the foregoing shall be made only for organizations approved by the Department of Public Instruction

Notwithstanding the foregoing provisions of this section when because of sparsity of population road or climatic conditions or lack of other available high school facilities the State Council of Education has approved the continued operation of a small high school the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the State Council of Education as being required to provide a satisfactory educational program in such school provided that the number of teachers employed is not less than the number approved

For no year shall any school district or vocational school district receive less than the minimum subsidy per teaching unit

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the boards of school directors and boards of publication to pay the compensation of professional employes employed as exchange teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof the following new section

Section 522 Payments of Salaries of Professional Employes Granted Leaves of Absence as Exchange Teachers Authorized Any board of public education or board of school directors of any school district or vocational school district of this Commonwealth is hereby authorized in its discretion to make such payments of compensation as it may deem advisable to any of its professional employes granted a leave of absence to serve as an exchange teacher in any foreign country or territory or possession of the United States of America

Any professional employe while on leave as an exchange teacher shall be considered to be in regular full-time daily attendance in the position from which the leave was granted during the period of said leave for the purpose of determining the employe's length of service credit toward the time necessary for a sabbatical leave the right to receive increments as provided by law and the right to make contributions as a member of the School Emoplyes' Retirement Fund and continue his or her membership therein

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole.
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska.			

NAYS—0

A majority of all the Senators having voted "aye," the question was deetrmined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 791, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 5 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2042) is hereby further amended to read as follows

Section 5 Security Required Unless Evidence of Insurance When Security Determined Suspension Exceptions (a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars ($100.00) the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident upon the basis of reports information or other evidence submitted to or obtained by the secretary In the event a person involved in an accident as described in this act fails to submit any information requested by the secretary indicating the extent of his injuries or the damage to his property within fifty (50) days after the accident and the secretary does not have sufficient evidence on which to base an evalution of such injuries or damage when the secretary after reasonable notice to such person if it is possible to give such notice otherwise without such notice shall not require any deposit of security for the benefit or protection of such person

* * * * *

Section 2 Said act is hereby amended by adding after section 5 thereof a new section to read as follows

Section 5.1 Reciprocity Upon receipt of certification that operating privileges of a resident of this State have been suspended or revoked in any other state or the District of Columbia pursuant to a law providing for such suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident under circumstances which would require the secretary to suspend a nonresident's operating privilege had the accident occurred in this state and if the law of such state or the District of Columbia contains reciprocal provisions the secretary shall suspend the license of such resident if he was the operator and all of his registrations if he was the owner of a motor vehicle involved in such accident Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state or the District of Columbia relating to the deposit of security

Section 3 Section 9 of said act is hereby amended to read as follows

Section 9 Form and Amount of Security The security required under this act shall be in such form and in such amount as the secretary may require but in no case in excess of the limits specified in section five in reference to the acceptable limits of a policy or bond The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and at any time while such deposit is in the custody of the secretary or State Treasurer the person depositing it may in writing amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons Provided however That a [single] deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident

The secretary may [reduce] change the amount of security ordered in any case within six months after the date of the accident upon the production of evidence as to the probable measure of damages and if in his judgment the amount ordered is excessive or insufficient In case the security originally ordered has been deposited the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith notwithstanding the provisions of section ten In case the security originally deposited is found to be insufficient the deficiency under the increased amount ordered shall be deposited forthwith or in default thereof the operator or owner or both shall be subject to the provisions of subsection (b) of section five of this act

Section 4 Section 32 of said act as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2042) is hereby further amended to read as follows

Section 32 Other Violations Penalties (a) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act and who during such suspension or revocation drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway except as permitted under this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars

($500) or imprisoned not exceeding six (6) months or both in the discretion of the court

(b) Any person wilfully failing to return a license or registration as required in section thirty-one shall upon summary conviction before a magistrate be fined one hundred dollars ($100) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days

(c) Any person who gives any information required by the secretary under section four of this act in a report of motor vehicle accident knowing or having reason to believe that such information is false or who makes a false affidavit in connection with any transaction under this act or who forges or without authority signs any evidence of proof of financial responsibility or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority shall be guilty of a misdemeanor and upon conviction shall be fined not more than one thousand dollars ($1000) or imprisoned not more than one (1) year or both in the discretion of the court

(d) Any person who wilfully transfers any registration or wilfully causes any motor vehicle to be registered in violation of the provisions of section thirty of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars ($500) or imprisoned not more than six (6) months or both in the discretion of the court

[(d)] (e) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars ($500) or imprisoned not more than ninety (90) days or both in the discretion of the court

[(e)] (f) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreably to the provisions of the Constitution, and were as follows: viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 518, on third reading, go over in its order.

The President. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1126, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 823 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1360) is hereby further amended to read as follows

Section 823 Official Inspections

(a) On and after the first day of every May and until and including the thirty-first (31) day of July and on and after the first day of every November and until and including the thirty-first (31) day of January every owner of a motor vehicle (except a commercial motor vehicle motor bus motor omnibus truck tractor trailer or semi-trailer) being operated in this Commonwealth [except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds] motorcycles and bicycles with motor attached shall submit such motor vehicle [trailer or semi-trailer] to such inspection of its mechanism and equipment as may be designated by the secretary [Provided That motor]

Every owner of a commercial motor vehicle motor bus motor omnibus truck tractor trailer and semi-trailer being operated in this Commonwealth except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds shall submit the same to such inspection of its mechanism and equipment as may

be designated by the Secretary on or after the first day of every August and until and including the thirty-first day of October and on and after the first day of every February and until and including the last of April

Motor vehicles trailers and semi-trailers determined by the department to be exempt from registration under the provisions of section four hundred one subsection (d) of this act and antique motor vehicles if operated on the public highways of this Commonwealth only during the period between sunrise and sunset shall be exempt from the lighting equipment provisions of this act

Section 2 The provisions of this act shall become effective on the first day of August one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1159, as follows:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of county boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1551) is hereby further amended to read as follows

Section 921 Election Vacancies Qualifications Removals (a) In every county having a county superintendent of public schools there shall be a county board of school directors consisting of five (5) or seven (7) members as determined by the annual convention of the school directors of the county and who shall be elected at the annual convention of the school directors of the county next preceding the expiration of their respective terms of office by majority vote of the school directors of the districts under the supervision of the county superintendent attending such annual convention They shall serve for terms of six years from the first day of July following their election or until their successors are chosen The terms of the members shall be staggered so that if there are five (5) members two members shall be elected in the year one thousand nine hundred fifty-two two in the year one thousand nine hundred fifty-four and one in the year one thousand nine hundred fifty-six and thereafter two members or one member as is required to fill the expiring terms if there are seven (7) members the terms of the two (2) additional members shall be staggered so that not more than three (3) members shall be elected in the same year All vacancies occuring by reason of death resignation removal from the county or otherwise shall be filled by a majority vote of the remaining members of the county board of school directors The person elected to fill such vacancy shall hold his office until the next annual convention at which a successor shall be elected for the remainder of the unexpired term

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1210, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres more or less of land situate in the City of Erie Erie County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania with the approval of the Governor is hereby authorized to sell at public sale to the highest bidder and canvey the following described tract of land situate in the City of Erie County of Erie and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point at the northerly end of Wayne Street said point being the northerly end of the easterly line of Wayne Street (before the widening of said street in an easterly direction by 5 feet as set forth in Ordinance No 229 dated September 17 1886) said northerly end of Wayne Street being 33.05 feet more or less northerly from the intersection of the easterly line (before widening of Wayne Street with the northerly line of the right-of-way of the "Whallon Yard" spur of the Pennsylvania

Railroad Company thence north 26 degrees 52 minutes west 1,654.04 feet to a point thence north 53 degrees 15 minutes west 1,690.59 feet to a point thence south 17 degrees 15 minutes east 427.30 feet to a point thence south 53 degrees 15 minutes east 1,287.92 feet to a point thence south 26 degrees 52 minutes east 1,478.52 feet to a point thence south 22 degrees west 524.51 feet to a point thence southwesterly along an arc having a radius of 360 feet 245.60 feet measured on said arc to a point thence south 61 degrees 3 minutes west to the northerly right-of-way line of the Pennsylvania Railroad thence easterly along said right-of-way to a point being located on a line having a bearing north 66 degrees 19 minutes west and being 216.84 feet from a monument located at the intersection of said right-of-way line with the northerly line of the right-of-way of the said "Whallon Yard" spur thence north 49 degrees 59 minutes 30 seconds west 70.25 feet to a point thence north 10 degrees 38 minutes west 225.60 feet to a point thence north 85 degrees 37 minutes 30 seconds east 46.95 feet to a point thence north 3 degrees 4 minutes 30 seconds east 41.81 feet to a point thence 78 degrees 59 minutes east 97 feet more or less to a point located on the northerly right-of-way of the said "Whallon Yard" spur thence northerly along said right-of-way to the westerly line of Wayne Street (after widening) thence north 26 degrees 52 minutes west to the northerly end of Wayne Street thence north 63 degrees 8 minutes east 45 feet more or less to the point of beginning and containing 24.1 acres of land be the same more or less

Section 2 The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject neverthless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 3 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 4 All monies received from the sale of the land herein authorized to be conveyed shall be deposited to the credit of the General Fund

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I wanted to catch your attention before the bill passed third reading because, after reading this bill, I think that the bill requires some amendments. There are those who suggest that some of us are better qualified to talk about the subject matter of this bill than others. I do not, at least not wih pride, point to the fact that I know something about the subject.

The bill, Mr. President, intends to protect the mushroom growers, particularly down around Chester County, from fraud in the purchase and sale and delivery of manure. It is a very serious bill, in spite of the fact that it comes before us without much opposition from any part.

Mr. President, I have looked the bill over very carefully and I have talked to the farming gentleman from Chester County, and I believe that you would agree with me that if you are going to pass a bill to protect these farmers, then do not just put a bill in which creates a nuisance more than anything else. All this bill does is set up rules and regulations on the weighing of the trucks and so forth, and the carrying of tare sheets and weight slips in order to protect the farmer against getting a different weight than what he purchased.

Mr. President, the truth of the matter, and I think the President of the Senate probably knows a great deal about this, is that the question which arises in the delivery of manure is that there is a great deal of adulteration of the manure going on. The real protection for the farmer would be an amendment to this act. Protect him, if you wish, with the weight slips. That is perfectly all right, but also protect him against the thing that is being done down there which creates the fraud. What they do, Mr. President, is take a load of dry manure and turn a hose on it, and wet it down good and increase the weight of the manure. Of course, the mushroom grower who buys it does not need to buy water, but that is what he is getting.

If I remember rightly, Mr. President, they once had a bill in the House, back in 1935, and I do not like to even talk about it because it seems to be more of a laughing subject than a serious matter. However, it must be serious because it was almost twenty years ago when this bill was first called to our attention in the House.

Mr. President, if the Senate will agree, I would like to try to write some amendments protecting the mushroom grower against the adulteration of the manure he uses.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent

that House Bill No. 1254, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1267, as follows:

An Act to further amend subsection (c) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by increasing the minimum amount of interest and charges on loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescrbing penalties for the violation of this act" as amended by the acts approved the tenth day of March one thousand nine hundred forty-nine (P. L. 305) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1485) is hereby further amended to read as follows

Section 12 Interest and Charges

* * * * *

(c) A minimum of twenty-five [($.25)] cents ($.25) on loans of [five dollars ($5.00)] three dollars and ninety-nine cents ($3.99) or less [and] a minimum of fifty cents ($.50) on loans [in excess of five dollars ($5.00)] of more than three dollars and ninety-nine cents ($3.99) and not in excess of six dollars and ninety-nine cents ($6.99) a miimum of seventy-five cents ($.75) on loans of more than six dollars and ninety-nine cents ($6.99) and not in excess of eleven dollars and ninety-nine cents ($11.99) and a minimum of one dollar ($1.00) on loans in excess of eleven dollars and ninety-nine cents ($11.99) may be collected on any loan for interest and charges

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Yosko,

NAYS—1

Fleming,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1294, as follows:

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1996) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Tractor" Every vehicle of the tractor type which is self-propelled designed and used for drawing other vehicles and not so constructed as to carry a load thereon either independently or any part of the weight of a vehicle or load so drawn and every vehicle with snow plow blade permanently attached and used exclusively for snow removal excepting road rollers ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code which cannot be used as motor vehicles the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert.	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1415, as follows:

An Act to further amend the act approved the first da of May one thousand nine hundred twenty-nine (P. I 905) entitled "An act for the protection of the publi safety regulating the use of highways and the opera tion of vehicles tractors street cars trackless trolle omnibuses bicycles pedestrains and the riding c animals upon the highways of this Commonwealt providing for the titling including liens encumbrance and legal claims registration of certain vehicles an licensing the operators thereof upon payment of pre scribed fees prescribing and limiting the powers o local authorities to deal with the subject matter o this act conferring powers and imposing duties upo the Department of Revenue the Department of High ways peace officers mayors burgesses magistrates alder men justices of the peace the courts and the clerk thereof owners of vehicles and garage keepers pro viding that records are admissible as evidence impos ing upon owners counties cities boroughs incorporate towns townships within the Commonwealth liabilit for damages caused by the negligent operation of thei motor vehicles imposing penalties imposing certair costs upon counties providing for the disposition o fines forfeitures fees and miscellaneous receipts mak ing an appropriation and providing for refunds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after Section 719 thereof a new section to read as follows

Section 719.1 Special Hauling Permits for Manufacturers of Certain Vehicles The fee for a special permit to manufacturers of vehicles which are not normally used on the highway of this Commonwealth whose place of manufacture is located within the Commonwealth to operate vehicles or combinations of vehicles on the public highways in accordance with section 905.1 of this act while such vehicle or combination of vehicles is in the course of manufacture shall be five ($5) dollars for each trip or round trip within a radius of ten (10) miles from the place of manufacture For trips or round trips of a distance greater than within a ten (10) mile radius from the place of manufacture an additional fee of two ($2) dollars for each five (5) miles or part thereof of additional radial distance shall be charged

Section 2 Said act is hereby further amended by adding after Section 905 thereof a new section to read as follows

Section 905.1 Permits for Movement of Vehicles in the Process of Being Manufactured (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may in their discretion upon application in writing accompanied by the fee provided in this act issue a special permit in writing authorizing a manufacturer of vehicles or combination of vehicles not normally used on the highways of this Commonwealth to move such vehicles while said vehicles or combination of vehicles are in the course of manufacture and only over highways located entirely within the county within this Commonwealth in which the manufacture of said vehicles or combination of vehicles is conducted and while said vehicles or combination of vehicles are entirely within the control of the manufacturer and not in transit from the manufacturer to a purchaser or dealer Such permits may be issued for a single trip or a series of trips Any such permit shall designate the vehicle for which it is issued the route to be traversed and be subject to such rules regulations restrictions of conditions which shall be deemed necessary by the authority granting the permit The movement of any vehicle requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee When the permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be carried in every vehicle operated thereunder and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

Penalty Any manufacturer operating or moving a vehicle without first having obtained a permit or permits so to do as herein provided shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and cost of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1440, as follows:

An Act to further amend section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivative preparations and compounds in the interest of public health" by providing certain exceptions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" as last amended by the act approved the thirtieth day of June one thousand nine hundred fifty-one (P. L. 955) is hereby further amended to read as follows

Section 1 The drug known as penicillium (penicillin) and any of its derivatives preparations or compounds of the same except penicillin teat dilators and veterinarian ointment for mastitis and penicillium (penicillin) its derivatives preparations and compounds when contained in animal or poultry feed supplements used by feed manufacturers in preparing animal or poultry feeds not intended for human consumption shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentists or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall disuense any such durg without affixing to tahe container in which the durg is sold or dispensed a labol bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name and the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	Mallery,	Stevenson,
Barr,	McCusker,	McCreesh,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
Diehm,	Leader,	Propert,	Watson,
DiSilvestro,	Letzler,	Ruth,	Weiner,
Fleming,	Madigan,	Silvert,	Wolfe,
Freed,	Mahany,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL INTRODUCED AND REFERRED

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MALLERY, BERGER and KOPRIVER, JR., read in place and presented to the Chair Senate Bill No. 800, entitled:

An Act to amend the act, approved the thirteenth day of July, one thousand nine hundred fifty-three (P. L. , Act No. 86), entitled "An act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers, requiring sellers to file returns, providing for the assessment, collection and lien of the tax, imposing duties on prothonotaries, prescribing penalties and providing for the use of the proceeds of such tax for public school purposes," by exempting sales of certain tangible personal property from the tax imposed by said act.

Which was committed to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committe at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Labor and Industry, reported as committed Senate Bill No. 793, entitled:

An Act authorizing boroughs and townships to acquire Federal housing projects and the land upon which they are constructed.

SECOND READING CALENDAR

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 336, on second reading, entitled:

An Act to amend section one thousand one hundred seventy of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An

act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence.

be recommitted to the Committee on Education.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 436, entitled:

An Act relating to the practice of Ophthalmic Dispensing providing for the licensure and registration of Dispensing Opticians authorizing the issuance of certificates to registered qualified Ophthalmic Dispensers and Ophthalmic Technicians as Ophthalmic Dispensers creating a State Board of Examiners for Dispensing Opticians to determine the respective qualifications of applicants and defining specific powers and duties thereof providing for penalties for violations of the provisions thereof and providing for appeals to Court

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Sec. 2, page 2, line 18, by inserting after "prescription": "any time within three years of the date of the original examination and prescription."

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendments:

Amend Sec. 3, page 4, line 7, by inserting after the part word "logist": "who is a Doctor of Medicine licensed to practice medicine in Pennsylvania"; Amend Sec. 3, page 4, lines 16 and 17, by striking out the word "profession" and inserting: "specialty"; Amend Sec. 3, page 5, line 4, by striking out "Commonwealth" and inserting: "State."

Amend Sec. 3, page 5, lines 19 and 20, by striking out "and upon expiration" in line 19 and all of line 20; Amend Sec. 3, page 6, lines 1 to 9, both inclusive, by striking out all of said lines, and inserting: "Their successors shall be appointed for terms of five years"; Amend Sec. 3, page 6, lines 14, 15, 16, 17 and 18, by striking out "by an appointment of an" in line 14, and all of lines 15, 16, 17 and 18.

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Sec. 12, page 18, line 15, by striking out "(c)" and inserting in lieu thereof: "(b)."

It was agreed to.

The section was agreed to as amended.

The thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 436, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 461, entitled:

An Act to amend section one thousand one hundred sixty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence and for contributions to the School Employes' Retirement Fund during such leaves of absence

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 581, Printer's No. 178,
House Bill No. 584, Printer's No. 217, and
House Bill No. 902, Printer's No. 531.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by requiring one year of approved hospital internship as an additional requirement for licensure exempting interns from the provisions of the act and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of certificates to practice osteopathy while in residency training in osteopathic hospitals in Pennsylvania

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER, on behalf of Mr. Chapman, offered the following amendments:

Amend Section 1 (Section 8), page 6, line 5, by striking out the word "medical"; Amend Section 1 (Section 8), page 6, line 14, by adding at the beginning of the line the word: "other"; Amend Section 1 (Section 8), page 6, line 14, by striking out after the word "government" and before the word "any" the word: "or"; Amend Section 1 (Section 8), page 6, line 14, by inserting after the word "subdivision' and before the word "wherein" the words: "in any other such state or out of state voluntary nonprofit hospital."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1137, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1197, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the secretary to suspend registrations of manufacturer's jobber's and dealer's in the dealer's class further regulating use of dealer's registration plates in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1264, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for plans of school buildings admission of beginners enumeration of children cost of education of blind children half-day school sessions district teaching units and payments by the Commonwealth for additional units and closed schools and transportation requiring issuance of high school certificates and approval of joint schools providing for payment of cost of transportation to joint schools providing penalties on school districts and making corrections and supplying omissions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 1302, on second reading, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent

that House Bill No. 1336, Printer's No. 291, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1350, entitled:

An Act to amend subsections B and C of Section 7 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizng such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring members to serve without compensation and the treasurer to post a bond.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that following bills, on second reading, go over in their order:

House Bill No. 1420, Printer's No. 383, and
House Bill No. 1421, Printer's No. 384.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1424, entitled:

An Act prohibiting the erection and maintenance of obstructions to the operaton of aircraft in certain areas and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and considera-ation of House Bill No. 57, entitled:

An Act to add Section 709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts to lease unused and unnecessary lands and buildings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and considera-ation of Senate Bill No. 69, entitled:

An Act establishing minimum compensation and increments for administrators and members of the faculty of certain State-owned schools and imposing duties on the Boards of Trustees of such schools and the Superintendent of Public Instruction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 213, entitled:

An Act to further amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Pamphlet Laws 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by extending the scope of local option to include granting of importing distributors' licenses permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 286, entitled:

A Joint Resolution proposing amendment to article sixteen, section seven, of the Constitution of the Commonwealth of Pennsylvania to delete the requirement that stock indebtedness of private corporations may not be inincreased without stockholders' consent obtained at a meeting held after sixty days' notice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act to carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania and to supplement the First Class

City Home Rule Act approved April twenty-one one thousand nine hundred forty-nine (Pamphlet Laws 665) by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain officers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished altering the term of the District Attorney of Philadelphia and establishing the status of the Sheriff, City Commissioner, Board of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 506, entitled:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting shot-firers to carry approved electric lamps and further prescribing his duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 549, entitled:

An Act to amend Section 3 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by fixing the time for payment of costs of aldermen and justices of the peace by counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 550, entitled:

An Act to further amend Section 1 of the act approved the eleventh day of May one thousand eight hundred seventy-four (P. L. 132) entitled "An act relating to payment of costs in cases of felony" by fixing time for payment of costs of aldermen and justices of the peace payable by counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 602, entitled:

An Act prohibiting any alderman, justice of the peace or constable from soliciting collection business and providing penalties for violations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 575, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for vocational education through area technical schools conferring powers and imposing duties on school directors county superintendents and county boards of school directors increasing the membership of the board in counties of the second class and providing for reimbursements by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 577, entitled:

An Act to further amend section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-four hours the work week of police officers except in emergencies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 622, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by making editorial corrections increasing compensation payable to minors in certain cases and making an appropriation to pay physicians and surgeons appointed by board or referee to make examinations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act to further amend subsection (e) of Section 628 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the fees for registration of firearms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 645, entitled:

An Act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 656, entitled:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by regulating the sale of certain seeds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 672, entitled:

An Act to further amend Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for State payments to approved sublessees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 718, entitled:

An Act to amend Section 638 of the act, approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by authorizing the exposure of poison to rodents and other pests under certain conditions; and conferring powers and imposing duties upon the Secretary of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 758, entitled:

An Act to further amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coalmines of Pennsylvania, and for the protection and preservation of property connected therewith," by further providing for the appointment, tenure and duties of bituminous mine inspectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 759, entitled:

An Act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act authorizing and empowering the Superior Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Superior Court of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 765, entitled:

An Act to amend Section 4353 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by prohibiting persons employed by authorities from receiving pensions from a city pension fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 772, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district and the basis for Commonwealth reimbursements on account of courses for such children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 775, entitled:

A Joint Resolution proposing an amendment to section twelve, article three, of the Constitution of the Commonwealth of Pennsylvania, providing for the purchasing of stated commodities in such manner as may be prescribed by law, and authorizing use of an escalation clause.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 779, entitled:

An Act to further amend the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient procedings relative to the same," by further defining property, property subject to escheat and beneficial owner; conferring jurisdiction upon certain courts, providing for procedure, and permitting the joinder of items in escheat proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 780, entitled:

An Act to add subsection (d) to section 4 of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act re-

quiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by authorizing Pension Boards of cities of the second class to make annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 782, entitled:

A Joint Resolution proposing an amendment to section eleven, article three of the Constitution of the Commonwealth of Pennsylvania, by providing that the Legislature may authorize increases in retirement allowances or pensions of employes who are members of a retirement or pension system, now, or hereafter, enacted by the Commonwealth, its political subdivisions, agencies or instrumentalities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 785, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing that an Authority shall have the power to construct structures to provide for the elimination of grade crossings under certain terms and conditions and subject to approval of the Pennsylvania Public Utility Commission; authorizing agreements for the transfer to the Authority of title to land or to the structures built or constructed and for the leasing thereof to the Utility or political subdivision involved.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 793, entitled:

An Act authorizing boroughs and townships to acquire Federal housing projects and the land upon which they are constructed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 795, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by substituting approval of the court of common pleas and the Superintendent of Public Instruction for approval of State Council of Education before, creation or affecting boundaries of third and fourth class districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act empowering a court in which is pending an action on behalf of the estate of a decedent to make an order approving a compromise or settlement of such action and to approve an agreement for counsel fees and other proper expenses incident to such action and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1017, entitled:

An Act to further amend Section 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by further providing for serving of notice of sale when notice cannot be served by mail.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1187, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title bulk sales and security interests.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1188, entitled:

An Act to further amend Section 3 of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1220, entitled:

An Act adopting the Sribner log rule as the standard log rule for determining the board foot content of saw logs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1224, entitled:

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1225, entitled:

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1296, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1299, entitled:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys the use benefit enjoyment or control of which would not be available to certain nonresident beneficiaries entitled thereto and providing remedies to such beneficiaries under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 117, entitled:

An Act to further amend Section 9 of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21), entitled "Optometrists' Licensure Law," by specifying further reasons for the refusal, cancellation, revocation or suspension of licenses by the Board of Optometrical Education, Examination and Licensure and providing for the making, adopting and enforcing of rules by the State Board of Optometrical Examiners.

Which was committed to the Committee on State Government.

House Bill No. 834, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for supervision over joint school systems when a district having a district superintendent is a party to the jointure, and for the election and salary of the district superintendent in such cases; and to reenact provisions for the minimum salary of associate superintendents in districts of the third class.

Which was committed to the Committee on State Government.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare, defining its powers and duties.

House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act, approved the seventeenth day of May, one thousand nine hundred forty-five (P. L. 624), entitled "An act requiring the recorder of deeds of every county, except counties of the second class, to report transfers of property to the commissioners of townships of the first class," by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. WATKINS asked and obtained unanimous consent to address the Senate.

Mr. WATKINS. Mr. President, I thought it would be most interesting and of importance to the Senate to advise this body of just what happened to a State Senator, as reported from Paris. The heading of this article reads as follows:

"Cannibals Eat Their Senator

"The French Overseas Ministry today officially listed an Ivory Coast Senator, Biaka Boda, as dead—eaten by cannibal constituents.

"He has been listed as 'missing' since January 28, 1950 when his personal belongings were found near a heap of bones soon after he set out on a tour of his district."

Mr. President, I thought that this might be of interest to the boys, because I know that twenty-five of us have to run again for the Senate. I think that they should take warning and be careful, in view of what happened in Paris, and see to it that it does not happen here.

The PRESIDENT. The Chair had no idea that the carcass of a State Senator could be so palatable.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, July 15, 1953, at 10:30 o'clock a. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:05 o'clock p. m., Eastern Standard Time, until Wednesday, July 15, 1953, at 10:30 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, July 14, 1953

The House met at 12:00 noon EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Lord God of Hosts, stretch forth, we pray Thee, thine almighty arm to strengthen and protect those in authority in our state; Be Thou their guide and strength, keep them safe fro mall evil; endue them with courage and loyalty; and grant that in all things they may serve without reproach, as seeing Thee who art invisible; through Jesus Christ our Lord. Amen.

JOURNALS APPROVED

The Speaker. Are there any corrections to the Journals of Monday, July 6, Tuesday, July 7, Wednesday, July 8, Thursday, July 9 and Monday, July 13, 1953? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Mr. GUTHRIE. HOUSE BILL No. 1603.

An Act providing for the marking of anhydrous ammonia containers; prohibiting the filling, refilling, delivery or installation of such containers without the authorization of a manufacturer or distributor thereof; authorizing the Department of Labor and Industry to prescribe uniform safety regulations, for the handling, storage and transportation thereof; and providing penalties.

Referred to the Committee on Labor Relations.

By Mr. TOMPKINS. HOUSE BILL No. 1604.

An Act relating to the labeling of containers of boric acid or borated preparations.

Referred to the Committee on Public Health and Sanitation.

By Messrs. TOLL and RUBIN. HOUSE BILL No. 1605.

An Act providing how the recorder of deeds in cities of the first class shall record instruments in writing and repealing a certain law inconsistent thereto.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. FERSTER HOUSE BILL No. 1606.

An Act to add Section 813 to the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533) entitled, "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety: and amending, revising, consolidating and changing the laws relating thereto;" by limiting personal liability for official conduct of care of patient under certain circumstances.

Referred to the Committee on Welfare.

By Messrs. GOODLING and BEAR. HOUSE BILL No. 1607.

An Act to amend Section 306 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further providing for the determination of the number and salaries of certain county and county institution district employees in certain cases.

Referred to the Committee on Counties.

By Mr. LOPRESTI. HOUSE BILL No. 1608.

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by authorizing the acquisition of inclined plane transportation facilities and their operation and maintenance jointly with boroughs.

Referred to the Committee on Municipal Corporations.

By Mr. LOPRESTI. HOUSE BILL No. 1609.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by authorizing the operation and maintenance of inclined plane transportation facilities jointly with cities of the third class.

Referred to the Committee on Municipal Corporations.

By Mr. HELM. HOUSE BILL No. 1610.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing minimum salaries of certain part-time teachers; reducing the teacher load for part-time teachers; and changing provisions relating to extension education and activities.

Referred to the Committee on Education.

By Mr. KENT. HOUSE BILL No. 1611.

An Act to further amend Section 5 of the act, approved the fourteenth day of May, one thousand nine hundred twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered: regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," by permitting the preparation and sale of ginger ale free of sugar and with artificial sweetening agents added for use as a dietetic, under certain conditions.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. KENT. HOUSE BILL No. 1612.

An Act to further amend subsection (b) of Section 7 of the act, approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by removing the two years requirement for eligibility for a broker's license.

Referred to the Committee on Professional Licensure.

By Mr. KENT. HOUSE BILL No. 1613.

An Act to amend the act, approved the twenty-eighth day of April, one thousand eight hundred eighty-seven (P. L. 63), entitled, as amended "An act in relation to the imprisonment, government and release of inmates in the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania," by limiting the maximum term of imprisonment.

Referred to the Committee on Welfare.

By Messrs. ROYER, HALL, GIBSON, GOODLING and FERSTER. HOUSE BILL No. 1614.

An Act to provide revenue for public school subsidies by imposing a State tax upon the Federal Income Tax liability of natural persons who are residents of the Commonwealth, providing for the settlement and collection of such tax, imposing duties on certain individuals, conferring powers and imposing duties upon the Department of Revenue and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. ROYER. HOUSE BILL No. 1615.

An Act to provide revenue for public school subsidies by imposing a State tax upon the Federal Surtax Net Income of natural persons who are residents of the Commonewalth, providing for the settlement and collection of such tax, imposing duties on certain individuals, conferring powers and imposing duties upon the Department of Revenue and prescribing penalties.

Referred to the Committee on Ways and Means.

By. Mr. HAUDENSHIELD. HOUSE BILL No. 1616.

An Act to further amend Section 437 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing the amount of aid which the board of county commissioners in counties of the second class may pay out of the county funds to the historical society of the county.

Referred to the Committee on Counties.

By Mr. DUNN. HOUSE BILL No. 1617.

An Act to further amend clause (f) of subsection (1) of Section 6 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further regulating the practice of union dues, check offs by employers as unfair labor practice.

Referred to the Committee on Labor Relations.

By Mr. GLEASON. HOUSE BILL No. 1618.

An Act to amend the first paragraph of section three of the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 426), entitled "An act regulating the selling, offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes; requiring certain information to be affixed to the container in which such seeds are sold; conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof; authorizing stop-sale orders by the Secretary in certain cases; providing for inspections, reports and surveys by the department; imposing powers and duties upon certain courts, and prescribing penalties," by deleting the words "of ten pounds or more."

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. MOODY. HOUSE BILL No. 1619.

An Act to further amend the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by clarifying the provisions classifying for taxation purposes companies incorporated to distill and sell liquor.

Referred to the Committee on Ways and Means.

By Mr. SCOTT. HOUSE BILL No. 1620.

An Act to further amend section one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any pentientiary, prison, workhouse, house of correction, or any other institution for adult prisoners under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by providing for transfers by the Deputy Commissioner for Treatment of the Bureau of Correction in the Department of Justice.

Referred to the Committee on Welfare.

By Mr. SCOTT. HOUSE BILL No. 1621.

An Act to further amend section sixteen of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by further defining the duties of executors, administrators and other trustees.

Referred to the Committee on Ways and Means.

By Mr. MOODY. HOUSE BILL No. 1622.

An Act to amend Section 10-101 of the act, approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3), entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents, and to make uniform the law with respect thereto," by changing the effective date.

Referred to the Committee on Judiciary.

By Mr. DUNN. HOUSE BILL No. 1623.

An Act to further amend Section 614 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the secretary to revoke licenses for repeated violations of this act.

Referred to the Committee on Motor Vehicles.

By Mr. DUNN. HOUSE BILL No. 1624.

An Act requiring the Commissioner of the Pennsylvania State Police to prescribe a standardized uniform to be worn by uniformed officers and men employed in the police departments of political subdivisions.

Referred to the Committee on Municipal Corporations.

By Messrs. BOMBERGER and HAUDENSHIELD. HOUSE BILL No. 1625.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for study and research, including archaeological excavations pertaining to the activities and glass works of the famous Pennsylvania ironmaster, glassmaker and townbuilder, (Henry William) Baron Von Stiegel.

Referred to the Committee on Appropriations.

By Mr. QUISENBERRY. HOUSE BILL No. 1626.

An Act to provide for an additional law judge of the court of common pleas in the sixth judicial district.

Referred to the Committee on Judiciary.

Mr. Mr. HELM. HOUSE BILL No. 1627.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by placing Commonwealth reimbursements on account of instruction on the basis of resident pupils attending public schools of the district and schools operated by joint boards of which the district of residence is a member; proportionately increasing Commonwealth reimbursements on account of tuition and payments by school districts for pupils attending in other districts; and limiting supplemental payments to districts of the third and fourth class.

Referred to the Committee on Education.

By Mr. SCHMIDT. HOUSE BILL No. 1628.

An Act to further amend subsections A and B of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by eliminating provisions relating to State license fees as a limitation to local taxation.

Referred to the Committee on Municipal Corporations.

By Mr. MOORE. HOUSE BILL No. 1629.

An Act to amend the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (P. L. 1793), entitled "An act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith; prohibiting the adoption by municipalities or other political subdivision of ordinances or regulations in conflict with this act; by providing for prosecutions for violations of this act by summary proceedings, and prescribing the penalty therefor," by providing for registration of dealers, bulk plants, industrial and utility users; prescribing registration fees; and imposing penalties.

Referred to the Committee on Labor Relations.

By Messrs. ZIEGLER and MOODY. HOUSE BILL No. 1630.

An Act to further amend section one of the act, approved the seventeenth day of April, one thousand eight hundred ninety-three (P. L. 21), entitled, as amended, "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located, in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," by further providing for the salaries of stenographers and clerks.

Referred to the Committee on Appropriations.

By Mr. BOLTON, Mrs. VARALLO and Mr. LEDERER. HOUSE BILL No. 1631.

An Act to further amend Section 802 of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearing and the issuance of subpoenas by the commission; conferring jurisdiction upon the courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates; to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by exempting from price fixing regulations sales of milk or milk products on competitive bidding for use in hospitals, educational, penal, recreational or welfare institutions operated by cities or other political subdivisions.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. JUMP and KOHL. HOUSE BILL No. 1632.

An Act authorizing the Department of Property and Supplies to accept on behalf of the Commonwealth a certain tract of land, with buildings thereon, in the Township of Newport, Luzerne County, Pennsylvania.

Referred to the Committee on State Government.

By Mrs. MONROE. HOUSE BILL No. 1633.

An Act to further amend the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by making changes in the provisions for advertising notices of ordinances and elections on increase of indebtedness.

Referred to the Committee on Cities-Counties—First-Second and Second Class A.

By Mrs. MONROE. HOUSE BILL No. 1634.

An Act to amend the act, approved the third day of April, one thousand nine hundred twenty-three (P. L. 50), entitled "An act authorizing cities of the first class to provide for the use of moneys borrowed, or authorized to be borrowed, for purposes which have proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose, or to provide for the cancellation of the authority to borrow such moneys," by changing the provisions for advertising notices of ordinances and elections to alter the purpose for which indebtedness has been incurred or to rescind the authority to incur such indebtedness.

Referred to the Committee on Cities-Counties—First-Second and Second Class A.

By Messrs. TOLL and HARRIS. HOUSE BILL No. 1635.

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment, and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by eliminating State license fee provisions.

Referred to the Committee on Cities-Counties—First-Second and Second Class A.

By Mr. TOLL (By request). HOUSE BILL No. 1636.

An Act to amend subsection (b) of section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violations of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating requirements that watchers must be residents of district in which they are authorized to act.

Referred to the Committee on Elections and Apportionment.

By Mr. TOLL (By request). HOUSE BILL No. 1637.

An Act to amend subsections (a) and (f) of Section one thousand three subsection (b) of section one thousand one hundred seven subsection (h) of section one thousand one hundred ten subsection (c) of section one thousand two hundred fifteen and subsection (d) of section one thousand two hundred sixteen and to further amend section one thousand two hundred twenty-three of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating the right of electors to vote a straight party ballot by one mark or operation.

Referred to the Committee on Elections and Apportionment.

By Mr. GRAMLICH. HOUSE BILL No. 1638.

An Act to further amend the act, approved the fourteenth day of April, one thousand nine hundred five (P. L. 162), entitled "An act regulating the method and procedure in the erection of line or partition fences," by

authorizing surveyors appointed by judges of common pleas courts to act as fence viewers.

Referred to the Committee on Judiciary.

By Mr. TOMKINS. HOUSE BILL No. 1639.

An Act to amend Section 4 of the act, approved the first day of May, one thousand nine hundred fifty-three (Act No. 10), entitled "An act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts, and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both, either during the continuance or at the end of their trusts," by excepting from the provisions of the act, certain trusts created by cemetery lot owners.

Referred to the Committee on Judiciary.

By Mr. MOODY (By request). HOUSE BILL No. 1640.

An Act prohibiting employers of members of the General Assembly from demanding or receiving the compensation awarded by law to such members for the performance of their legislative duties as a condition to employment.

Referred to the Committee on Labor Relations.

By Mr. LEDERER. HOUSE BILL No. 1641.

An Act imposing a duty upon the State Treasurer to deduct the tax imposed by any city of the first class upon salaries, wages, and other compensation, paid to officers and employes of the Commonwealth domiciled or performing services within any such city of the first class, and to make a return and remit the tax so deducted to the Revenue Commissioner of any such city of the first class.

Referred to the Committee on Cities-Counties—First-Second and Second Class A.

By Mr. HERSCH. HOUSE BILL No. 1642.

An Act authorizing the Civil Defense Director of each political subdivision of the Commonwealth of Pennsylvania, during the emergency period immediately following an attack, to purchase, rent, or requisition in the name of the Commonwealth of Pennsylvania, for temporary or permanent use, the emergency materials, supplies, equipment and facilities he finds necessary.

Referred to the Committee on Municipal Corporations.

By Messrs. HERSCH, GRANVILLE E. JONES and LEVEN. HOUSE BILL No. 1643.

An Act to add Section 2103.1 to the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating, and changing the laws relating thereto," by providing for a city college in each school district of the first class and making an appropriation.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 10.

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the tax rate on property transferred to lineal descendants of adopted children.

Referred to the Committee on Ways and Means.

SENATE BILL No. 283.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by exempting from such tax receipts derived from the operation of school buses in transporting pupils to and from school.

Referred to the Committee on Ways and Means.

QUESTION OF PERSONAL PRIVILEGE

Mr. LOVETT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. LOVETT. Mr. Speaker, when I asked for leave of absence on Thursday, July 9, for Mr. Maxwell of Westmoreland County I should have stated that the reason for his absence was because of sickness.

RESOLUTION

CITY OF NEW CASTLE

The SPEAKER laid before the House a Resolution approved by the City of New Castle, originally adopted by third class cities of Northeastern Pennsylvania, approving the passage of House Bill No. 418.

Referred to the Committee on Highways.

RESOLUTION

POLITICAL SUBDIVISIONS OF PENNSYLVANIA

The SPEAKER laid before the House a resolution unanimously approved by City, Borough and Township officials approving the passage of House Bill No. 418 and opposing the passage of House Bill No. 650 and Senate Bill No. 344

Referred to the Committee on Highways.

COMMUNICATION

NATIONAL COUNCIL OF PRIVATE MOTOR TRUCK OWNERS, INC.

The SPEAKER laid before the House a communication from The National Council of Private Motor Truck Owners, Inc., requesting the enactment of more liberal restrictions on motor truck operation in Pennsylvania.

Referred to the Committee on Motor Vehicles.

RESOLUTION

UNITED NORTHAMPTION SOCIAL ORGANIZATIONS, INC.

The SPEAKER laid before the House a Resolution adopted by the United Northampton Social Organizations, Inc. favoring the legalization of Bingo.

Referred to the Committee on Law and Order.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 514, 908, 909, 965, 1059, 1172, 1271, 1285, 1351, 1352, 1463, and 1505

Commonwealth of Pennsylvania,
Governor's Officer, Harrisburg,

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 514, Printer's No. 433, entitled "An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 908, Printer's No. 473, entitled "An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 909, Printer's No. 474, entitled "An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 965, Printer's No. 185, entitled "An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by authorizing the creation of planning commissions and prescribing their powers and duties."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1059, Printer's No. 247, entitled "An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled 'An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases' by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1172, Printer's No. 192, entitled "An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by changing the provisions relating to protests by property owners to the exercise of zoning powers."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1271, Printer's No. 274, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by changing the compensation of auditors."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1285, Printer's No. 290, entitled "An Act to further amend subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' by requiring bonding companies as sureties on bonds of tax collectors."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1351, Printer's No. 337, entitled "An Act regulating the reexamination of tax returns and imposition of txaes by cities of the second class in certain cases."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1352, Printer's No. 338, entitled "An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled 'An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties' by limiting review of tax returns and imposition of additional taxes in certain cases."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1463, Printer's No. 425, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 52.3 acres more or less of land situate in the City of Erie Erie County Pennsylvania."

JOHN S. FINE.

July 13, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1505, Printer's No. 436, entitled "An Act to amend the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1565) entitled 'An act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations' by providing for compensation on a daily basis for certain employes of the General Assembly when the Legislature is in regular session beyond the fifteenth day of June one thousand nine hundred fifty-three and each regular session thereafter."

JOHN S. FINE.

REPORT ON FIRST AID ROOM

Mr. HELM. Mr. Speaker, at each session of the Legislature, over the past two or three, it seems to have been my duty to make a report on the First Aid Room which this House established on the first floor of the Capitol.

I have before me the report which was made covering the period from August 1951 to August 1952.

So that the Members may know the amount of work that is being done, I would like to point out that the Registered Nurse on duty there treated 5,347 people during that time. I submit her report and ask that it be made a part of the record.

The SPEAKER. The Report will be noted in the Journal.

(For Report see Appendix.)

REPORTS FROM COMMITTEES

Mr. SCHMIDT from the Committee on Judiciary, re-reported as amended, House Bill No. 60, entitled:

An Act to amend the act approved the tenth day of May one thousand nine hundred fifty-one (P. L. 279) entitled "An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto" by designating the applicable support law providing a rebuttable presumption of the obligors presence authorizing states and political subdivisions thereof to obtain orders for continuing support detailing the duties of courts when acting as initiating or responding state providing for the maintenance of an information agency by the Secretary of Public Assistance regulating procedure authorizing more informative complaints providing arrest in certain cases stating the effect of a Pennsylvania order as responding state on order of initiating state providing that participation in proceedings under this act shall not give the court jurisdiction over any party in other proceedings conferring powers and imposing duties on district attorneys and the Secretary of Public Assistance.

Mr. DOWN from the Committee on Counties, reported as committed, House Bill No. 331, entitled:

An Act to further amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class," by increasing the salaries of jury commissioners' fees.

Mr. WATERHOUSE from the Committee on Highways, re-reported as amended, House Bill No. 650, entitled:

An Act appropriating certain moneys in the Motor License Fund to Cities Boroughs Towns and Townships of the Commonwealth for certain purposes and for a limited time conferring powers and imposing duties on the officials of such political subdivisions and on the Department of Highways

Mr. McCULLOUGH from the Committee on Highways, reported as committed, House Bill No. 702, entitled:

An Act authorizing the levy and assessment of taxes against certain real property acquired by the Pennsylvania Turnpike Commission.

Mr. DOWNEY from the Committee on Highways, reported as committed, House Bill No. 1026, entitled:

An Act to facilitate vehicular traffic in the southwestern section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the point where turnpike authorized by Pennsylvania Turnpike Erie Extension Act connects with the Pennsylvania Turnpike or the western extension thereof to the West Virginia border, to connect with the West Virginia Turnpike or any extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and

restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Mr. GEORGE E. JONES from the Committee on Boroughs, reported as committed, House Bill No. 1280, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by changing the provisions thereof relating to parks, playgrounds and other recreation places and facilities, and park and recreation boards.

Mr. JOHN J. MURRAY, from the Committee on Boroughs, reported as committed, House Bill No. 1284, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring corporate surety in certain bonds.

Mr. OGILVIE, from the Committee on Cities—Third Class, reported as committed, House Bill No. 1383, entitled:

An Act to further amend Section 4305 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appropriations by such cities to official police pension funds.

Mr. MOORE, from the Committee on Highways, reported as committed, House Bill No. 1396, entitled:

An Act providing for the acquisition, construction, improvement, operation, and maintenance of tunnels for certain highway purposes within the Commonwealth; authorizing the issuance of tunnel revenue bonds, free from taxation and payable solely from tunnel earnings, to pay the cost of such tunnels and improvements thereof; providing for the collection of tunnel tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the tunnels; constituting such bonds legal investments in certain instances; prescribing conditions upon which such tunnels shall become free tunnels; conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation.

Mr. BAUMUNK, from the Committee on Highways, reported as committed, House Bill No. 1462, entitled:

An Act to amend Section 404 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring that the contractor's performance bond furnished to the Department cover also equipment rental.

Mr. QUISENBERRY from the Committee on Cities—Third Class, reported as committed, House Bill No. 1496, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the amount of retirement allowances and fixing the maximum amount of payments by employes into the pension fund.

Mr. PHILLIPS from the Committee on Counties, reported as committed, House Bill No. 1545, entitled:

An Act to amend Section 7 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

Mr. BOLTON fromthe Committee on Municipal Corporations, reported as committed, House Bill No. 1547, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of Pennsylvania by authorizing certain tax exemptions for persons on relief and certain aged persons.

Mr. SHOTWELL from the Committee on Highways, reported as committed, House Bill No. 1548, entitled:

An Act to further amend subsection (a) of Section 10 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by authorizing the expenditure of moneys for the promotion of safety on roads, highways and bridges in certain counties.

Mr. LERERER from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 1556, entitled:

An Act to add Section 12.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by providing for annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

Mr. LEDERER, from the Committee on Cities-Counties—First-Second and Second Class A, reported as committed, House Bill No. 1557, entitled:

An Act to add Section 14.1 to the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and

establishing a fund for the care, maintenance and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode and manner of payment to beneficiaries thereof, and for the care and disposition of said funds; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by providing for annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

Mr. GUTHRIE, from the Committee on Counties, reported as committed, House Bill No. 1553, entitled:

An Act to further amend Section 78 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the law as to who may attend the annual meetings of the state association of controllers.

Mr. BLAIR, from the Committee on Boroughs, reported as committed, House Bill No. 1561, entitled:

An Act to further amend Section 2805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by further providing for the maintenance of burial grounds and their conversion into memorial parks.

Mr. BAUMUNK, from the Committee on Highways, reported as committed, House Bill No. 1565, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Mr. POLTENSTEIN, from the Committtee on Municipal Corporations, reported as committed, House Bill No. 1575, entitled:

An Act to regulate the compensation of all members of any police force employed by a municipality or township.

Mr. ZIEGLER from the Committee on Judiciary, reported as committed, House Bill No. 1581, entitled:

An Act to further amend the act, approved the second day of June, one thousand eight hundred seventy-four (P. L. 271) entitled "An act authorizing the formation of partnership associations, in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances," by further regulating partnership associations; requiring them to file statements with and pay certain bonus, fees and charges to the Department of State; requiring foreign partnership associations to designate the Secretary of the Commonwealth as their attorney upon which legal process against them may be served.

Mr. ZIEGLER from the Committee on Judiciary, reported as committed, House Bill No. 1582, entitled:

An Act to further amend Section 204 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting certain corporations not for profit to register their corporate names with the Department of State.

Mr. VAN SANT from the Committee on Highways, reported as committed, House Bill No. 1585, entitled:

An Act to amend Route Two Hundred and One of Section 6 of the act, approved the thirty-first day of May, one thousand nine hundred eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, prinicipal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways; and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by changing route two hundred one.

Mr VAN SANT from the Committee on Highways, reported as committed, House Bill No. 1591, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty- seven (P. L. 589), entitled, as amended "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or incorporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said strees after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

Mr. WATERHOUSE from the Committee on Highways, reported as committed, House Bill No. 1597, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Mr. AUKER from the Committee on Judiciary, reported as committed, Senate Bill No. 6, entitled:

An Act to amend the act approved the nineteenth day of June one thousand nine hundred thirteen (P. L. 534) entitled "An act relating to appointment of deputy constables" by defining the jurisdiction of deputy constables

Mr. STANK from the Committee on Highways, reported as committed, Senate Bill No. 33, entitled:

An Act to amend section 2 of the act approved the first day of April one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges with loads of excessive weight and inflicting penalties" by providing for payment of costs of prosecution for imprisonment in default of payments of fines and costs and for the disposition of fines penalties and forfeitures

Mr. STANK, from the Committee on Highways, reported as committed, Senate Bill No. 34, entitled:

An Act authorizing the Delaware River Joint Toll Bridge Commission with approval of the Secretary of Highways to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purposes of the Commission and providing for the disposition of proceeds thereof.

Mr. THOMAS H. W. JONES, from the Committee on Judiciary, reported as committed, Senate Bill No. 143, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

Mr. GIBSON, from the Committee on Public Utilities, reported as committed, Senate Bill No. 155, entitled:

An Act prohibiting the attaching of metal or other hard substances to public utility poles.

Mr. SHOEMAKER, from the Committee on Counties, reported as committed, Senate Bill No. 404, entitled:

An Act to amend the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth clases by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" by extending the provisions thereof to counties of the fifth class.

Mr. SCOTT from the Committee on Judiciary, reported as committed, Senate Bill No. 496, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming and interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure relating to incompetents' estates," by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court.

Mr. SCOTT from the Committee on Judiciary, reported as committed, Senate Bill No. 497, entitled:

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates

Mr. TOLL from the Committee on Judiciary, reported as committed, Senate Bill No. 561, entitled:

An Act to amend Section 306 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors, estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto with-

out the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by providing for an additional disqualification of persons petitioning for appointment as personal representative.

Mr. MOODY, from the Committee on Judiciary, reported as committed, Senate Bill No. 572, entitled:

An Act to further amend Section 18 of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" by providing for filing summaries of audits and for annulling vacating or forfeiture of articles of association or associations failing to file such summaries.

Mr. MOODY, from the Committee on Judiciary, reported as committed, Senate Bill No. 573, entitled:

An Act to further amend Section 17 of the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and definng agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by providing for filing summaries of audits and for annulling vacating or forfeiture of articles of association failing to file such summaries.

Mr. OGILVIE, from the Committee on Cities-Third Class, reported as committed, Senate Bill No. 631, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to zoning ordinances

Mr. VAUGHAN, from the Committee on Cities-Counties First-Second and Second Class A, reported as committed, Senate Bill No. 695, entitled:

An Act fixing the salary of jury commissioners in counties of the second class.

Mr. THOMAS H. W. JONES from the Committee on Boroughs, reported as amended, House Bill No. 31, entitled:

An Act to further amend Section 1317 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by increasing the permitted amount of borough contracts with its officials.

Mr. LOPRESTI from the Committee on Judiciary, reported as amended, House Bill No. 967, entitled:

An Act regulating bondsmen and sureties; defining and providing for the registration and licensure of professional bondsmen; imposing powers and duties on courts of quarter sesions, district attorneys and the Insurance Commissioner, and providing penalties.

Mr. TOMPKINS from the Committee on Judiciary, reported as amended, House Bill No. 986, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing gounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by making hopeless or incurable mental illness a ground for divorce and providing for service of complaints and alimony and for support and maintenance and for costs and certain fees in such instance

Mr. MORAN from the Committee on Public Utilities, reported as amended, House Bill No. 1094, entitled:

An Act providing for the exercise of the right of eniment domain by certain corporations, with certain restrictions, exceptions and limitations, and preserving the jurisdiction of the Pennsylvania Public Utility Commission.

Mr. WALLACE from the Committee on Highways, reported as amended, House Bill No. 1435, entitled:

An Act to further amend Section 33 of the act, approved the thirty-first day of May, one thousand nine hundred eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties or authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes of toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing

penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by permitting the Secretary to withhold ten per centum of the current estimate due the contractor pending completion of fifty per centum of the work and thereafter withholding two per centum of the current estimate due the contractor pending completion of ninety-five per centum of the work to be done.

Mr. Wall, from the Committee on Highways, reported as amended, House Bill No. 1587, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restricting limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

Mr. STANK, from the Committee on Highways, reported as amended, House Bill No 1589, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

Mr. WALL, from the Commitee on Highways, reported as amended, House Bill No. 1590, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction." by removing additional roads from the State highway system.

Mr PHILLIPS, from the Committee on Counties, reported as amended, Senate Bill No. 273, entitled:

An Act fixing the fees and mileage of the Coroner in counties of the third class.

BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on July 9, 1953, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 331, entitled:

An Act to further amend the act, approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class," by increasing the salaries of jury commissioners' fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 702, entitled:

An Act authorizing the levy and assessment of taxes against certain real property acquired by the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1026, entitled:

An Act to facilitate vehicular traffic in the southwestern section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the point where turnpike authorized by Pennsylvania Turnpike Erie Extension Act connects with the Pennsylvania Turnpike or the western extension thereof to the West Virginia border, to connect with the West Virginia Turnpike or any extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations; grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1280, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by changing the provisions thereof relating to parks, playgrounds and other recreation places and facilities, and park and recreation boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1284, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring corporate surety in certain bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1383, entitled:

An Act to further amend Section 4305 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appropriations by such cities to official police pension funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1396, entitled:

An Act providing for the acquisition, construction, improvement, operation, and maintenance of tunnels for certain highway purposes within the Commonwealth; authorizing the issuance of tunnel revenue bonds, free from taxation and payable solely from tunnel earnings, to pay the cost of such tunnels and improvements thereof; providing for the collection of tunnel tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the tunnels; constituting such bonds legal investments in certain instances; prescribing conditions upon which such tunnels shall become free tunnels; conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1462, entitled:

An Act to amend Section 404 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring that the contractor's performance bond furnished to the Department cover also equipment rental.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1496, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the amount of retirement allowances and fixing the maximum amount of payments by employes into the pension fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1545, entitled:

An Act to amend Section 7 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1547, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of Pennsylvania by authorizing certain tax exemptions for persons on relief and certain aged persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1548, entitled:

An Act to further amend subsection (a) of Section 10 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by authorizing the expenditure of moneys for the promotion of safety on roads, highways and bridges in certain counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1556, entitled:

An Act to add Section 12.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class: creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by providing for annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1557, entitled:

An Act to add Section 14.1 to the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and

establishing a fund for the care, maintenance and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assesments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode and manner of payment to beneficiaries thereof, and for the care and disposition of said funds; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or asociations having the same or similar purposes, and of such additional monies as may be necesarry to carry out the provisions of this act," by providing for annuity payments to beneficiaries in addition to pension payments upon contributions by the beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1553, entitled:

An Act to further amend Section 78 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the law as to who may attend the annual meetings of the state association of controllers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1561, entitled:

An Act to further amend Section 2805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by further providing for the maintenance of burial grounds and their conversion into memorial parks.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1565, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1575, entitled:

An Act to regulate the compensation of all members of any police force employed by a municipality or township.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1581, entitled:

An Act to further amend the act, approved the second day of June, one thousand eight hundred seventy-four (P. L. 271), entitled "An act authorizing the formation of partnership associations, in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances," by further regulating partnership associations; requiring them to file statements with and pay certain bonus, fees and charges to the Department of State; requiring foreign partnership associations to designate the Secretary of the Commonwealth as their attorney upon whom legal process against them may be served.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1582, entitled:

An Act to further amend Section 204 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting certain corporations not for profit to register their corporate names with the Department of State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1585, entitled:

An Act to amend Route Two Hundred and One of Section 6 of the act, approved the thirty-first day of May, one thousand nine hundred eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner

to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof, providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways; and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for pament of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by changing route two hundred one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1591, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1597, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 6, entitled:

An Act to amend the act approved the nineteenth day of June one thousand nine hundred thirteen (P. L. 534), entitled "An act relating to appointment of deputy constables" by defining the jurisdiction of deputy constables.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act to amend section 2 of the act approved the first day of April one thousand nine hundred twenty-five (P. L. 100) entitled "An act making it unlawful to drive over certain inter-state bridges with loads of excessive weight and inflicting penalties" by providing for payment of costs of prosecution for imprisonment in default of payments of fines and costs and for the disposition of fines penalties and forfeitures.

And said bill having been read at length the first time, Ordered, Te be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act authorizing the Delaware River Joint Toll Bridge Commission with approval of the Secretary of Highways to dispose of certain property of the Commonwealth deemed by the Commission to be no longer useful or needed for the purposes of the Commission and providing for the disposition of proceeds thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 143, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 155, entitled:

An Act prohibiting the attaching of metal or other hard substances to public utility poles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 404, entitled:

An Act to amend the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" by extending the provisions thereof to counties of the fifth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 496, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure relating to incompetents' estates," by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 497, entitled:

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend Section 306 of the act approved the eifhteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appoinment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for an additional disqualification of persons petitioning for appointment as personal representative.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act to further amend Section 18 of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for filing summaries of audits, and for annulling, vacating or forfeiture of articles of association or associations failing to file such summaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act to further amend Section 17 of the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for filing summaries of audits; and for annulling, vacating or forfeiture of articles of association failing to file such summaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the provisions relating to zoning ordinances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 695, entitled:

An Act fixing the salary of jury commissioners in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 811.

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties," by defining net income and fixing the rate of tax in the case of stock life insurance companies and extending the provisions of the act for a further limited period of time.

HOUSE BILL No. 1021.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses.

HOUSE BILL No. 1118.

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

HOUSE BILL No. 1119.

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domistic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. GOODLING asked and obtained unanimous consent to address the House.

Mr. Speaker, there have been some outstanding middlemen in double-play combinations, men whose names are indelibly inscribed on sports records.

To mention a few, we had, Tinker to Evers to Chance; Baker to Collins to Maginnis; Crisetti to Lazzeri to Gehrig.

More recently we had, Reese to Robinson to Hodges.

In the Pittsburgh Press, page 18, section 1, column 1, under a Harrisburg date line of July 11, a new combination appears to have been formed. I read the following:

> The bill was counted out on what the truckers labeled a double play—Byoir to Goodling to Royer.

By implication at least the integrity of two Members of this House has been questioned, and I want the Membership and the gentlemen of the Press to know we resent the implication which is entirely without fact. I want to assure you further that I have and shall continue to do my own thinking and reach my own conclusions.

I believe the gentleman from Lancaster is also in the same category.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. KENT. Mr. Speaker, I move that House Bill No. 1, Printer's No. 157, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1.

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the word "Act" the following:

"Providing for a new Constitution for the Commonwealth of Pennsylvania by means of a constitutional convention and a vote of electors and providing for the selection nomination and election of delegates upon the determination by the electorate that such a convention should be held."

and inserting in lieu thereof the following:

"Providing for a referendum to determine the will of

the electorate with respect to calling a constitutional convention."

Amend Section 1, page 2, line 1, by striking out after the figure "1" the brackets and letter "(A)"; page 3, by striking out after line 2 all of lines 3 to 19 inclusive; page 4, by striking out all of lines 1 to 18 inclusive; page 5, by striking out all of lines 1 to 20 inclusive; page 6 by striking out all of lines 1 to 20 inclusive; page 7 by striking out all of lines 1 to 19 inclusive; page 8, by striking out all of lines 1 to 19 inclusive; page 9, by striking out all of lines 1 to 18 inclusive; page 10, by striking out lines 1 and 2.

Amend the bill by striking out on page 10, line 3 after the word "Section" the figure "12" and inserting in lieu thereof the figure "2."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. Mr. Speaker, I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. Without objection the Chair will declare a recess of one hour for the purpose of holding a Democratic and a Republican caucus.

The Chair would again request the Members to go to their caucus rooms immediately so that we may accomplish our business within the hour's time.

The Chair hears no objection and a recess is declared for one hour.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 124.

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments boards, and commission; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments. boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare, defining its powers and duties.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1152.

An Act to amend the title and section 1 of the act, approved the seventeenth day of May, one thousand nine hundred forty-five (P. L. 624), entitled "An act requiring the recorder of deeds of every county, except counties of the second class, to report transfers of property to the commissioners of townships of the first class," by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGES

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 543.

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 13, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, July 20, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, July 20, 1953 at one o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 193 and 194.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 124.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties

HOUSE BILL No. 1152.

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

SENATE BILL No. 50.

An Act to further amend section 306 and to amend subsection A of section 318 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes and providing for the powers duties and liabilities of such trustees

SENATE BILL No. 528.

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring permits and home-workers' certificates and prescribing the fees therefor conferring powers and imposinug duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

SENATE BILL No. 543.

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS INTRODUCED AND REFERRED

By Mr. FROST. HOUSE BILL No. 1644.

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to acquire a tract of land in Rush Township, Centre County, Pennsylvania, consisting of 9.93 acres, for use of Philipsburg State Hospital; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. WATERHOUSE, BLAIR, QUISENBERRY and POLASKI. HOUSE BILL No. 1645.

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, thence in a general southerly direction to connect with the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable including a lateral extension eastward from such point as the Commission may decide is most feasible and practicable to the boundary line between the Commonwealth of Pennsylvania and the State of New York and a lateral extension westward from such point as the Commission may decide is most feasible and practicable to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

Referred to the Committee on Highways.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 742, entitled:

An Act to add Section 7.1 to the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by authorizing minors to appear in entertainment performances delete under certain circumstances.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1165, entitled:

An Act prohibiting certain practices of discrimination because of race color religious creed ancestry or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcements and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 288, entitled:

An Act designating certain offices as incompatible with elected offices in cities, boroughs and townships of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 394, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and devising amending and consolidating the law relating to boroughs" by providing a method for the formation of a new borough out of a township of the first class or out of a part of a township of the first class.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. GEER offered the following amendment:

Amend Title, page 1, line 4 from top of title, by striking out "providing a" and inserting in lieu thereof: "changing the."

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to further amend subsection A of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second Class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal for the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by removing theatres and motion picture places as a subject of taxation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATERHOUSE. Mr. Speaker, there have been developments that I am afraid would embarrass the Members on both sides of the House, regardless of amendments that would be offered. Out of courtesy to these Members on both sides, I move that this bill 1097, Printer's No. 485, be recommitted to the Committee from which it came.

On the question,

Will the House agree to the motion?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman care if I asked him to give the names of those who would be put on the spot by the amendments that are about to be offered to this bill?

Mr. WATERHOUSE. Mr. Speaker, in answer to that I think it would be rather general. Some who would pos-

sibly vote for the amendments would antagonize some factions, they would antagonize others if they did not. I am afraid the amendments have little or nothing to do with this particular piece of legislation. This legislation was offered as an emergency measure to try and give some degree of relief to the movie industry.

At the same time I believe the amendments would kill the bill. There would be no chance of it ever becoming law. So for that reason Mr. Speaker, I think the only thing to do is to recommit it.

Mr. LOVETT. Mr. Speaker, I thank the gentleman. If I may note the motion to recommit states that it is a measure in the interests of the moving picture industry in Pennsylvania. The amendments I was going to introduce to this bill were in the interests of the working people of Pennsylvania who will be very much affected by a sales tax and other taxes under 481.

I think the emergency is just as acute there as it is in the moving picture industry.

Mr. ANDREWS. Mr. Speaker, I rise to support the motion to recommit. I consider that an amendment to complicate the moving picture house situation with wage taxes and other taxes is contrary to sound parliamentary practices. If any Member desires to raise the issue of the wage taxes the proper procedure is to introduce the bill, and not try to make an alien issue ride along with a wholly different proposition.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1133, entitled:

An Act to further amend article nine of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safetyregulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that scales used in determining weights of vehicles and loads be tested and approved and authorizing inspectors of weights and measures to make such tests

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1249, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assesment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by exempting certain investments from taxation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. KRATZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Miunicpal Corporations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1312, entitled:

An Act to amend Section 1361 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for free transportation of resident pupils in order to provide tours.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1389, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining "labor organizations" and imposing duties thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1584, entitled:

An Act validating certain contracts and employments entered into between Municipality Authorities and persons, where the same person holding a contract as architect for a project shall have later been employed by the Authority to perform other services and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 54, Printer's No. 381

was passed over at the request of the SPEAKER.

BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. BOMBERGER.

The House resumed the consideration on second reading of House Bill No. 342, entitled:

An Act to further amend subsection (c) of section nine hundred two and subsection (f) and the penalty clause of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses and by further prescribing gross weights and axle weights of motor buses having six or more wheels.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BOMBERGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 168, Printer's No. 508

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 834, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for participation in the county administration by certain districts employing district superintendents and for supervision over joint school systems when a district having a district superintendent is a party to the jointure and for the election and salary of the district superintendent in such cases and to reenact provisions for the minimum salary of associate superintendents in districts of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1551) is hereby further amended to read as follows

Section 921 Election Vacancies Qualifications Removals (a) In every county having a county superintendent of public schools there shall be a county board of school directors consisting of five (5) members who shall be elected at the annual convention of the school directors of the county next preceding the expiration of their respectve terms of office by majority vote of the following school directors [of the districts under the supervision of the county superintendent] attending such annual convention (1) directors of districts under the supervision of the county superintendent (2) directors of union and marged districts of the third class employing district superintendents and (3) districts of the third and fourth class employing district superintendents to operate joint school systems They shall serve for terms of six years from the first day of July following their election or until their successors are chosen The term of the members shall be staggered so that two members shall be elected in the year one thousand nine hundred fifty-two two in the year one thousand nine hundred fifty-four and one in the year one thousand nine hundred fifty-six and thereafter two members or one member as is required to fill the expiring terms All vacancies occurring by reason of death resignation removal from the county or otherwise shall be filled by a majority vote of the remaining members of the county board of school directors The person elected to fill such vacancy shall hold his office until the next annual convention at which a successor shall be elected for the remainder of the unexpired term

Section 2 Clause (14) of section 925 of said act as added by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1546) is hereby amended to read as follows

Section 925 Powers and duties the county board of school directors in respect to school districts under the supervision of the county superintendent shall have power and its duty shall be

* * * * *

(14) To assess each school district [under the jurisdiction of the county board for] entitled under this act to services provided through the office of the county superintendent for such services and any school district not under the jurisdiction of the county superintendent which has contracted with the county board for services for such districts proportionate share of the cost of such serv-

ices the proportionate share of a district shall be determined by multiplying the cost of the services by a fraction the numerator of which shall be the number of pupils in average daily membership in the district and the denominator of which shall be the total number of pupils in average daily membership in all districts to which such services will be furnished provided that no school district shall be liable for such assessment unless the county board shall have notified the secretary of the district in writing forty (40) days prior to the county convention of school directors that action will be considered to provide such services

Section 3 Section 1022 of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 433) is hereby further amended to read as follows

Section 1022 time and by whom elected term of office the school directors of all of the school districts that do not have a district superintendent the school directors of all union and merged districts of the third class that employ district superintendents and the school directors of all third and fourth class districts employing district superintendents to operate joint school systems of each county in which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred fifty (1950) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first Monday of July next following and fix his annual salary when there is only one candidate for the office of county superintendent and such candidate within thirty days of the date fixed for holding the convention for the election of the county superintendent dies withdraws or proves ineligible to be elected the convention shall be postponed or adjourned to the second Tuesday of June of the same year if no candidate is elected at such postponed or adjourned convention the office shall be filled in the manner provided by this act for the filling of vacancies in the office

Section 4 Section 1027 of said act is hereby amended to read as follows

Section 1027 List of directors entitled to vote Method of voting the county superinenedent shall furnish to the president of such convention a correct duplicate list of all the school directors in said county in the districts over which said superintendent has supervision in union and merged districts of the third class that employ district superintendents and in districts of the third and fourth class employing district superintendents to operate joint school systems such list shall be arranged alphabetically by districts in taking the vote the president or secretary shall call in alphabetical order by district the list thus furnished and each director present shall when his name is called rise and announce the name of the candidate for whom he desires to vote the tellers shall keep correct tally of the vote as cast and report the same to the president who shall announce the vote to the convention

Section 5 Section 1051 of said act is hereby amended by adding at the end thereof a new clause to read as follows

Section 1051 Number of Assistant County Superintendents County superintendents shall have the following number of assistant county superintendents

* * * * *

(6) The teachers of a joint school system operated by school districts of the Third or fourth class that employ a district superintendent for the joint school system union school district or merged school district of the third class employing a district superintendent of schools shall be counted in determining the number of assistant county superintendents

Section 6 Section 1052 of said act as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1814) is hereby further amended to read as follows

Section 1052 Number of supervisors of special education in addition to the assistant county superintendents herein provided for in each county in which there are five hundred fifty (550) or more teachers under the supervision of the county superintendent there shall be appointed at least one supervisor of special education and in each county in which there are fewer than five hundred fifty (550) teachers under the supervision of the county superintendent there shall be appointed a part-time supervisor of special education who shall serve jointly in two or more counties except in the case of a county which employs fewer than five hundred fifty (550) teachers and is not adjacent to any other county employing fewer than five hundred fifty (550) teachers in which case a full-time or a part-time supervisor of special education shall be appointed in no instance shall such supervisor of special education serve in more than three counties the state council of education shall have power and it shall be their duty to determine the counties which shall be served jointly by a joint supervisor of special education the time of the joint supervisor of special education shall be apportioned among the several counties on the basis of the number of teachers under the supervision of the county superintendent in each county

In lieu of a part-time supervisor of special education in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent there may be appointed pursuant to a majority vote of the county convention a full-time supervisor of special education either for the school districts of the county under the county superintendent alone or jointly with one or more school districts not under the county superintendent

The teachers of a joint school system operated by school districts of the third or fourth class that employ a district superintendent for the joint school system union school district or merged school district of the third class employing a district superintendent of schools shall be counted in determining the appointment of a supervisor of special education

Section 7 Section 1057 of said act is hereby amended to read as follows

Section 1057 Removal for cause upon the written charges and recommendation of the County Superintendent of the majority of the members of each of three Boards of School Directors [whose schools are under the jurisdiction] entitled to participate in the election of the County Superintendent Assistant County Superintendents or the Supervisor of Special Education of any county may after a hearing be removed by the Superintendent of Public Instruction for the same causes and in like manner as a County Superintendent is removed

Section 8 Subsection (A) of Section 1061 and Section 1062 of said act as added by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1150) is hereby amended to read as follows

Section 1061 Number of Technical Personnel Qualifications appointment

(A) In addition to the Assistant County Superintendents and Supervisors of Special Education herein provided for there may be appointed the number of Technical Personnel as is authorized by the county convention of school directors in the same manner as is provided in section one thousand fifty-three of the act to which this act is an amendment for the appointment of Assistant County Superintendents No additional technical personnel shall be appointed unless the secretaries of all districts [under the supervision] entitled to participate in the election of the County superintendent shall have been notified in writing forty (40) days prior to the convention of school directors that action will be considered to provide such technical personnel

Section 1062 Salaries Duties

(a) Technical personnel shall be paid on annual salary to be determined by the county convention of school directors said salaries shall be paid by the Commonwealth out of the school appropriations apportioned to the school districts [under the supervision] entitled under this act to services provided through the office of the County

Superintendent and to the school districts [not under his jurisdiction but] contracting with the county board of school directors for such services before the same is distributed

(b) It shall be the duty of technical personnel to assist the county superintendent of schools and the boards of school directors served by them in such manner as the county superintendent may direct

Section 9 Section 1066 of said act as last amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1776) is hereby further amended to read as follows

Section 1066 Minimum salaries payment all county superintendents assistant county superintendents and supervisors of special education shall be entitled to the following minimum annual salaries

(1) County superintendents in counties having a population of less than forty-five thousand (45,000) eight thousand dollars ($8,000)

(2) County superintendents in counties having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000) nine thousand dollars ($9,000)

(3) County superintendents in counties having a population of one hundred fifty thousand (150,000) or more ten thousand dollars ($10,000)

(4) Assistant county superintendents in all counties seven thousand five hundred dollars ($7,500)

(5) County supervisors of special education in all counties seven thousand dollars ($7,000)

The foregoing salaries shall be paid by the Commonwealth from appropriations made for this purpose or from the appropriations for the public schools except in the case of a full-time supervisor of special education appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent either for the school districts under the county superintendent alone or jointly with one or more other school districts in which case the Commonwealth shall pay a fractional part of the minimum salary equal to the number of teachers under the county superintendent divided by five hundred fifty (550) The balance of such minimum salary shall if the services of the supervisor of special education so appointed is shared with one or more districts [not under the county superintendent] under contract with the county board of school directors be paid by such district or districts otherwise the same shall be apportioned among and be paid by the several districts [under] entitled under this act to services provided through the office of the county superintendent in the manner provided in section one thousand sixty-seven of the act to which this is an amendment

Section 10 Section 1067 of said act as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1814) is hereby further amended to read as follows

Section 1067 Additional Salaries Payment A convention of school directors assembled for the purpose of electing a county superintendent or for the purpose of determining his salary the salary of any assistant superintendent or supervisor of special education may vote any of said employes a salary greater than the amount such person would receive under the forgoing section All such increases shall be paid in all cases out of school appropriation apportioned to the school districts [over which the county superintendent has supervision] entitled under this act to services provided through the office of the county superintendent before the same is distributed except where a full-time supervisor of special education is appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent jointly with one or more districts [not under the county superintendent] under contract with the county board of school directors in which case the district or districts [not under the county superintendent] so contracting shall pay their proportionate parts of such increase A convention of school directors for the purpose of voting such salaries may be called at any time by the county superintendent The salaries of county superintendents assistant county superintendents and supervisors of special education shall be paid monthly

Section 11 Section 1071 of said act is hereby amended to read as follows

Section 1071 Election The board of school directors in every school district of the first and second class shall and in every district of the third class (subject to approval where hereinafter required) may by a majority vote of all the members thereof elect a properly qualified person as district superintendent together with such properly qualified assistant superintendents as it deems wise If a district superintendent has jurisdiction over a joint school system including grades 1 to 12 he shall be elected by a majority vote of all the school directors in the districts operating the joint school system The directors of any other school school district [requiring or electing to have] employing a district superintendent of schools shall not participate in the election of a county superintendent The public schools of any district [which has] employing a district superintendent shall not be subject to the superintendence or supervision of a county or an assistant county superintendent but shall all be under the supervision of the district superintendent

Section 12 Section 1073 of said act as last amended by the acts approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1281) and the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1572) is hereby reenacted and further amended to read as follows

Section 1073 Manner of election change of class of district (A) the [boards] board of school directors of each district of the second or third class electing a district superintendent or in districts of the third class electing an associate superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred fifty (1950) and every four years thereafter at an hour previously fixed by the board Where school districts of the third class or of the third and fourth class operating a joint school system employ a district superintendent for the joint school system the boards of school directors of all the districts shall meet jointly in convention on the second Tuesday of April one thousand nine hundred fifty-four (1954) and every four years thereafter at an hour and place previously agreed on The secretary of each board of school directors shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent or associate superintendent to serve for four years from the first Monday of July next following his election

(b) Whenever the term of office of any district superintendent or associate superintendent expires he shall continue in office for a further term of four years unless at least sixty (60) days before the date fixed for the election of such a superintendent (1) four or more members of a board of school directors in a second class district or three or more members of a board of school directors in a third class district or a majority of the boards operating a joint school system employing such officer shall forward by registered mail a notice to the district superintendent or associate superintendent that another or other candidates will be considered for the office or (2) notice is given of the discontinuance of the office by action of the board of school directors in a third class district

(c) The term of office or commission of a district superintendent assistant district superintendent or associate superintendent shall not be shortened by reason of the fact that the district in which he serves shall because of loss of population enter a class of districts for which there is no provision for a district superintendent assistant district superintendent or associate superintendent and such superintendent assistant district superintendent or associate superintendent shall continue to serve such district for the term of his office or commission

Section 13 Section 1075 of said act as last amended by the acts approved the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1572) and the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1776) is hereby reenacted and further amended to read as follows

Section 1075 Salary The board of school directors at any convention electing a district superintendent or the board of school directors of any district of the third class at any convention electing an associate superintendent shall determine the amount of salary to be paid such district superintendent or associate superintendent which compensation shall be paid out of the funds of the district If a district superintendent has jurisdiction over a joint school system including grades 1 to 12 his salary shall be fixed by a majority vote of all the school directors in the districts operating the joint school systems and shall be paid by the districts in the same proportions as they contribute to the support of the joint school

District superintendents and associate superintendents shall be entitled to the following minimum annual salaries

(1) District superintendents and associate superintendents having less than one hundred (100) teachers under their supervision eight thousand dollars ($8000)

(2) District superintendents and associate superintendents having one hundred (100) or more but less than three hundred (300) teachers under their supervision nine thousand dollars ($9000)

(3) District superintendents and associate superintendents having three hundred (300) or more teachers under their supervision ten thousand dollars ($10,000)

Section 14 Sections 1084 and 1086 of said act as added by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1215) are hereby amended to read as follows

Section 1084 Number of supervisors in addition to the assistant county superintendents and supervisors of special education herein provided for There may be appointed the number of additional supervisors as is authorized by the county convention of school directors in the same manner as is provided in section one thousand fifty-three of the act to which this act is an amendment for The appointment of assistant county superintendents no additional supervisors shall be appointed unless the secretaries of all districts [under the supervision] entitled to participate in the election of the county superintendent shall have been notified in writing forty (40) days prior to the county convention of school directors that action will be considered to provide such supervisors

Section 1086 Salaries Supervisors shall be paid an annual salary to be determined by the county convention of school directors Said salaries shall be paid by the Commonwealth out of the school appropriations apportioned to the school districts [under the supervision] entitled to participate in the election of the county superintendent and to the school districts [not under his jurisdiction but] contracting with the county board of school directors for such services before the same is distributed

Section 15 Article X of said act is hereby amended by inserting at the end thereof a new subdivision to read as follows

(g) Special Districts

Section 1091 Services provided through office of county superintendent joint school systems operated by school districts of the third or fourth class that employ district superintendents for the joint school systems and union and merged districts of the third class emyloying district superintendents shall be entitled to all services provided through the office of the county superintendent subject to all conditions and requirements imposed on school districts under the supervision of the county superintendent

Section 16 Section 1705 of said act as amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 934) is hereby further amended to read as follows

Section 1705 Superintendent Treasurer Budget If one of the districts operating a joint school system including grades 1 to 12 has a district superintendent he shall have administrative and supervisory jurisdiction over the joint school system Otherwise it shall be under the jurisdiction of the county superintendent The several boards of school directors of the school districts establishing such joint school or department shall meet in joint sesion at least once a year for the purpose of adopting the annual school budget At such joint session they shall elect from the treasurers of their respective districts one who shall act as the treasurer of such joint school or department to whom shall be paid by the several districts establishing such joint school or department the amount agreed upon to be contributed by each district for the support of such joint school or department They shall fix the salary of the treasurer of such joint school or department annually at an amount not exceeding two per centum of the funds passing through his hands

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Auker,	Glick,	Maxwell,	**Schmidt,**
Adam,	Goodling,	McCann,	Schuster,
Alexander,	Gramlich,	McCormack,	Schwartz,
Amarando,	Greenwood,	McCullough,	Scott,
Andrews,	Guss,	McDermit,	Seyler,
Banker,	Gutendorf,	McGee,	Shoemaker,
Barkdoll,	Guthrie,	McInroy,	**Shotwell,**
Baumunk,	Hall,	McWherter,	**Smith, W. B.,**
Bazin,	**Hamilton, R. K.,**	Metz,	**Snider,**
Blair,	**Hamilton, W. H.,**	Mihm,	**Spencer,**
Boles,	Harris,	Mikula,	Stank,
Bomberger,	Haudenshield,	Miller,	Stimmel,
Boory,	Helm,	Mills,	Stone,
Bower,	Hersch,	Monroe,	Stoner,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hoggard,	Moore,	Taylor,
Brown,	Ide,	Moran,	Thomas,
Bucchin,	Jenkins,	Muldowney,	Thompson,
Buchanan,	Jim,	Munley,	Toll,
Bullen,	Johnson,	Murray, J. J.,	Tompkins,
Capano,	Jones, Gran'le E.	Murray, P. G.,	Toomey,
Cianfrani,	Jones, Paul F.,	Musto,	VanSant,
Cioffi,	Jump,	Naugle,	Varallo,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Olsen,	Verona,
Comet,	Kent,	Parlante,	Wall,
Connelly,	Kohl,	Peifly,	Wallace,
Conner,	Kolankiewicz,	Peta,	Walsh
Cooper,	Kornick,	Petrosky,	Wargo,
Coyle,	Kubacki,	Pettigrew,	Waterhouse,
Curwood,	Lafore,	Pfaff,	Watkins,
Davis,	Lederer,	Phillips,	Welsh,
Dougherty,	Leisey,	Polaski,	Wheeler,
Downey,	Leonard,	Poltenstein,	White,
Erb,	Leven,	Price,	Whitenight,
Ewing,	Light,	Ragot,	Willaredt,
Farabaugh,	Limper,	Readinger,	Williams,
Fenrich,	Lippincott,	Reagan,	Wilt,
Filo,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Richter,	Worley,
Floyd,	Lutty,	Rosen,	Yeakel,
Frost,	Maguire,	Rovansek,	Yetzer,
Geer,	Mahan,	Royer,	Young,
Gibson,	Markley,	Rubin,	Zeitz,
Gleason,	Mathews,	Sarraf,	Smith, C. C., Speaker

NAYS—26

Ashton,	Fleischman,	Kratz,	Stevenson,
Bear,	Flynn,	Kromer,	Strausser,
Bolton,	Hocker,	Moscrip,	Varner,
Down,	Jones, Geo. E.,	Ogilvie,	Weidner,
DuBois,	**Jones, T. H. W.,**	Polen,	Wescott,
Dunn,	Kerlin,	Quisenberry,	Whalley,
Ferster,			Ziegler,

NOT VOTING—1

Kline,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1203, Printer's No. 447,

was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BUCHANAN.

The House resumed the consideration on final passage of House Bill No. 1041, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by additional compensation for cooperating teachers supervising student teachers to be paid by the teacher education institution in which the student teacher is enrolled

On the question recurring.

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. BUCHANAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LIPPINCOTT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Indiana, Mr. Buchanan vote on the third reading of this bill?

Mr. BUCHANAN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Delaware, Mr. Lippincott vote on the third reading of this bill?

Mr. LIPPINCOTT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1144.2), page 3, line 13, by striking out "other than a state teachers college" and inserting in lieu thereof "which receives State aid."

Amend Sec. 1 (Sec. 1144.2), page 3, line 17, by inserting after "rolled" "The provisions of this section do not apply to State teachers' colleges that are now required by law to pay cooperating teachers a minimum annual compensation of fifty ($50) dollars for each student teacher."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 117, as follows:

An Act to further amend Section 9 of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by specifing further reasons for the refusal cancellation revocation or suspension of licenses by the Board of Optometrical Education Examination and Licensure and providing for the making adopting and enforcing of rules by the State Board of Optometrical Examiners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of act inconsistent therewith" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 795) is hereby further amended to read as follows

Section 9 (a) The State Board of Optometrical Examiners shall refuse to grant a certificate of licensure to any applicant and may cancel revoke or suspend the operation of any certificate by it granted for any or all of the following reasons [to wit the] (1) peddling from house to house or person to person or (2) the establishment of temporary offices contrary to the provisions of this act or (3) the use of misleading advertising or (4) gross incompetency or (5) the obtaining of money by fraud or (6) misrepresentation of the optometrical profession in which untruthful statements are made or (7) the failure to deliver the certificates provided for in section six of this act or (8) the conviction of a crime involving moral turpitude or (9) habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs the intellect and judgment to such an extent as to incapacitate for the performance of duties of an optometrist or (10) the advertising of prices for professional services or glasses or ophthalmic materials or other appurtenances used in the practice of the profession of optometry or (11) upon satisfactory proof of grossly unethical practice or of conduct not becoming a professional man or of acts tending to lower the professional standards of the practice of optometry or partaking of those of the market place or of any form of pretense which might induce citizens to become a prey to professional exploitation The certificate of licensure of any person convicted of a violation of section two of this act shall be ipso facto revoked The board may adopt promulgate and enforce such rules and regulations as may be deemed necessary by the board and proper to carry into affect the provisions of this act

(b) Any person who is the holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure against whom is preferred any charge shall be furnished by the board with a copy of the complaint and shall have a hearing before the board

at which hearing he may be represented by counsel At such hearing witnesses may be examined for and against the accused respecting the said charges which examination shall be conducted in the manner usually followed in the taking of testimony before commissions in this Commonwealth The suspension of a certificate of licensure by reason of the use of stimulants or narcotics may be revoked when the holder thereof shall have been adjudged by the said board to be cured and capable of practicing optometry The revocation or suspension for any other cause of a certificate of licensure may be removed at such time as it shall appear to the board to be just and proper to do so

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally ?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone.
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 170, as follows:

An Act to amend subsection (e) of Section 410 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting licensed importers to import purchase sell and store liquor and alcohol in the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of Section 410 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" is hereby amended to read as follows

Section 410 Liquor Importers' Licenses Fees Privileges Restriction

* * * * *

(e) Importers' licenses shall permit the holders thereof to bring or import liquor and alcohol from other states foreign countries or insular possessions of the United States and purchase liquor and alcohol from manufacturers located within this Commonwealth to be sold outside of this Commonwealth or to Pennsylvania Liquor Stores within this Commonwealth or when in original containers of ten gallons or greater capacity to licensed manufacturers within this Commonwealth Importers' licenses issued to licensed Pennsylvania manufacturers operating distilleries and to licensed Pennsylvania bonded warehouses operating United States internal revenue bonded warehouses shall permit the holders thereof to bring or import purchase and sell both liquor and alcohol in the same manner and under the same conditions and restrictions as are herein provided with respect to liquor

The holders of importers' licenses who are also the holders of bonded warehouse licenses operating United States internal revenue bonded warehouses shall be permitted to bring or import into Pennsylvania in original containers of ten gallons or greater capacity alcohol or liquor whether for their own account or for the acount of others and shall be permitted to store or sell such alcohol or liquor under all the conditions and restrictions as are herein provided or under such regulations as the board shall make

All importations of liquor and alcohol into Pennsylvania by the licensed importer shall be consigned to the Pennsylvania Liquor Control Board or the principal place of business or authorized place of storage maintained by the licensee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Glick,	Markley,	Scott,
Alexander,	Goodling,	Mathews,	Seyler,
Amarando,	Gramlich,	Maxwell,	Shoemaker,
Ashton,	Greenwood,	McCann,	Shotwell,
Banker,	Guss,	McCormack,	Smith, W. B.,
Baumunk,	Gutendorf,	McDermit,	Snider,
Bazin,	Guthrie,	McGee,	Spencer,
Bear,	Hall,	McInroy,	Stank,
Blair,	Hamilton, R. K.,	McWherter,	Stevenson,
Boies,	Hamilton, W. H.,	Metz,	Stimmel,
Bolton,	Harris,	Mihm,	Stone,
Bomberger,	Haudenshield,	Mikula,	Stoner,
Boory,	Helm,	Miller,	Strausser,
Bower,	Hersch,	Mills,	Sucher,
Breisch,	Hewitt,	Monroe,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Thompson,
Bucchin,	Jenkins,	Moscrip,	Toll,
Buchanan,	Jim,	Muldowney,	Tompkins,
Bullen,	Johnson,	Munley,	Toomey,
Capano,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cioffi,	Jones, Paul F.,	Musto,	Varner,
Clapper,	Jones, T. H. W.,	Naugle,	Vaughan,
Cochran,	Jump,	Needham,	Verona,
Comer,	Keller,	Olsen,	Wall,
Connelly,	Kent,	Parlante,	Wallace,
Conner,	Kerlin,	Peifly,	Walsh,
Cooper,	Kline,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kamyk,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
Dunn,	Kubacki,	Poltenstein,	White,
Erb,	Lafore,	Price,	Whitenight,
Ewing,	Lederer,	Quisenberry,	Willaredt,
Farabaugh,	Leisey,	Ragot,	Williams,
Fenrich,	Leonard,	Readinger,	Wilt,
Ferster,	Leven,	Reidenbach,	Wood,
Filo,	Light,	Richter,	Worley,
Flack,	Limper,	Rosen,	Yeakel,
Fleischman,	Lippincott,	Royer,	Yetzer,
Floyd,	Lopresti,	Rubin,	Young,
Flynn,	Lovett,	Sarraf,	Zeitz,
Frost,	Lutty,	Schmidt,	Ziegler,
Geer,	Maguire,	Schuster,	Smith, C. C.,
Gibson,	Mahan,	Schwartz,	Speaker
Gleason,			

NAYS—10

Andrews,	DuBois,	Moody,	Reagan,
Auker,	Hocker,	Ogilvie,	Rovansek,
Barkdoll,	McCullough,		

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 315, Printer's No. 478

House Bill No. 466, Printer's No. 405 and

House Bill No. 627, Printer's No. 373

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 864, as follows:

An Act to amend Section 403 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by clarifying provisions relating to exemption from execution of certain property by landlord for nonpayment of rent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 403 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" is hereby amended to read as follows

Section 403 Exemption of Property on Premises Under Lease or Conditional Sale Contract The following personal property loaned to or leased or hired by any person or conditionally sold to any such person under a contract of sale reserving title in the vendor until paid for shall be exempt from levy and sale on distress for rent so long as the title thereto remains in the owner lender lessor or conditional vendor if written notice specifically describing the personal property loaned leased hired or conditionally sold shall be given to the landlord or his agent at the time the said personal property is placed upon the demised premises or within ten days thereafter which notice shall contain a statement of the respective amounts due on each article named in the notice and when so given shall be effective as to such landlord and any future owner or owners of said premises that is to say

(1) All pianos melodeons and organs

(2) All soda water apparatus and the appurtenances thereto

(3) All sewing machines and typewriting machines

(4) All electric motors electric fans and dynamos

(5) All ice cream cabinets and ice cream containers and the appurtenances thereto

(6) All household furniture and household goods

(7) All patented shoe repairing machinery and tools

(8) All beauty and barber shop furniture and equipment

(9) All cigarette vending machines

In the case of personal property enumerated in clauses (2) and (5) of this section notice may be given in the manner above provided or in lieu thereof the name and address of the owner lender lessor or conditional vendor may be marked on or attached to said property in a conspicuous part thereof

Upon request at any reasonable time the owner lender lessor or conditional vendor of any personal property enumerated in this section shall advise the landlord or his agent as to the status of his account with the tenant In default of such advice it shall be conclusively presumed no balance is due on said account

Any landlord may levy upon and sell on distress for rent any right or interest of the tenant in any personal property mentioned in this section subject to the rights therein of the owner lender lessor or conditional vendor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 880, Printer's No. 420 and

House Bill No. 960, Printer's No. 406

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1073, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by providing for the certification of returns of tax claims by bureaus in seventh and eighth class counties to county treasurers for collection further regulating in counties of the seventh and eighth class the sale of certain properties turned over to the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of this act prohibiting bureaus in seventh and eighth class counties from leasing certain properties and authorizing such bureaus to execute deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "owner" in Section 102 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as last amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

"Owner" the person in whose name the property is last registered if registered according to law and in all other cases means any person in open peaceable and notorious possession of the property as apparent owner or owners thereof or the reputed owner or owners thereof in the

neighborhood of such property [as] As to property having been turned over to the bureau by any county except counties of the seventh and eighth classes "owner" shall mean the county

Section 2 Section 204 of said act as amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 204 County Bureau to Certify Returns to County Treasurer for Collection Collect Taxes (a) Each county bureau except bureaus in counties of the seventh and eighth classes shall receive and collect such taxes and give proper receipt therefor when payment is offered and to make distribution of the moneys received therefor as provided by this act

(b) Each county bureau of the seventh and eighth class shall certify to the county treasurer a copy of all returns of tax claims filed in its office and it shall be the duty of the county treasurer to receive and collect such taxes and give proper receipt therefor when payment is offered and to make distribution of the moneys received therefor as provided by this act A record of all taxes collected by him shall be certified to the bureau in the manner to be established under the provisions of the following section

Section 3 Section 205 of said act as amended by the act approved the thirtieth day of June one thousand nine hundred fifty-one (P. L. Laws 991) and the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby reenacted and further reenacted and amended to read as follows

Section 205 System of Accounting and Payment Over In each county bureau a system of accounting certifying of claims and collections and payment over of all moneys collected or received under the provisions of this act between the bureau and the county treasurer shall be established in the bureau as may be determined by the county commissioners the county controller if any and county treasurer

All taxes and municipal claims recovered in full by the bureau or by the county treasurer under the provisions of this act whether by payment by the owner before sale payment by a purchaser who has bid the upset price at a sale by redemption or through sequestration shall be paid over to the taxing districts entitled thereto When through sequestration less than the full amount of taxes is recovered the net amount so recovered shall be paid over to the respective taxing districts in proportion to the taxes due them In all other cases including net moneys received through the management or through public or private sale of property the moneys received shall be paid over first to the respective taxing district in proportion to the taxes and municipal claims against such property owing to such districts second mortgages and other liens in order of their priority and third except in cases of property purchased by a taxing district prior to the effective date of this act and turned over to the bureau for sale the balance remaining shall be paid to the owner of the property sold Such payments shall in all cases be less [than] the percentage to which the county is entitled in accordance with this act Provided however That where by the sale or redemption of property tax liens of the Commonwealth are recovered payment shall first be made of the tax liens of the Commonwealth to the State Treasurer through the Department of Revenue and in the case of the public or private sale of property by the bureau after the continuance of a former sale because of insufficient bid the purchase price received shall first be applied to the satisfaction of the tax liens of the Commonwealth and shall be paid over in like manner

Moneys recovered on account of costs fees and expenses advanced by the county or any other taxing district shall be repaid to the taxing district making the advance

The bureau shall keep an accurate account of all moneys received by it or by the county treasurer under the provisions of this act and a separate account for each property

All payments out of moneys recovered shall be made by the bureau or by the county treasurer under the system of accounting established at stated intervals but not less frequently than once every three (3) months

Section 4 Sections 207 404 and 608 of said act as amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) are hereby further amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for the actual costs and expenses of operating the bureau created by this act for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof and thereafter shall receive and retain two per centum (2%) thereof which percentage shall be deducted by the bureau or by the county treasurer before paying over moneys to the respective taxing districts entitled thereto and shall be retained in or paid into the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 404 Powers of Sequestrator shall have power to retain possession of the property as sequestrator until all taxes owing to the several taxing districts shall have been collected or paid He shall have power (a) except as hereinafter provided to lease the property for a period not exceeding one (1) year with the usual privilege of renewal or termination thereof upon three (3) months' notice (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenantable condition and to carry insurance on such property (c) to advertise the property for rent (d) to collect the costs of repairs advertising and commissions of rental agents from rentals collected or from a redeeming owner (e) to sell and dispose of growing crops and (f) to appoint a licensed real estate broker or agent as agent to collect the rentals of the property and pay such agents the customary commissions for rent collections In counties of the seventh and eighth classes the bureau shall not have power to lease property for the purpose of extracting any minerals or oil or the cutting of timber The bureau shall not in any case without prior approval of the county commissioners or in case of cities of the first class the city council incur any expense for the maintenance repair or alteration of any property in excess of eighty per centum (80%) of the amount of rental to be received from such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred All commissions costs and necessary expenses shall be deducted from the rents collected before paying the net balance toward taxes

Section 608 Deed When the purchaser has paid the amount of his bid it shall be the duty of the bureau to make to the said purchaser his or their heirs or assigns a deed in fee simple for the property sold Each such deed shall be in the name of the bureau as trustee grantor in counties other than in counties of the seventh and eighth classes and shall be executed and duly acknowledged before the prothonotary by the director and a notation of such deed and acknowledgment shall be duly entered on the proper records The deed shall before delivery be recorded in the office for the recording of deeds at the cost of the purchaser

Section 5 Section 612.1 of said act as amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 308) and the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 612.1 County Commissioners May Bid and Purchase Property Costs Paid by Taxing Districts [Whenever] (a) In counties other than counties of the seventh and eighth classes whenever any property shall be put up for public sale upon order of court as provided in section six hundred twelve the county commissioners are hereby authorized to bid up to and including one dol-

lar over and above all costs as prescribed in section six hundred twelve for said property at such sale and if no higher bid is offered the property shall be sold to them for the county and the county shall take and have an absolute title free and clear of all tax and municipal claims mortgages liens and charges and estates of whatsoever kind except ground rents separately taxed in the same manner and to the same extent as a private purchaser would have taken In such cases the proportionate share of said costs shall be paid to the county by the respective taxing districts in proportion to the taxes due them on such property An amount equal to such costs due the county from any taxing district may be deducted from any tax moneys thereafter payable to such district under the provisions of this act Upon the sale thereafter of such property by the county the proceeds from the sale shall be distributed to the taxing authorities in proportion to the taxes due them on such property at the time of the last tax sale

Any property purchased at such sale by the county may thereafter by the county commissioners be (1) leased to any taxing district to be used for public purposes (2) used for any suitable public purpose by the county (3) sold in the same manner as any other real property owned in fee simple by the county or (4) sold [upon petition to the court of common pleas which shall fix a day not more than thirty (30) days thereafter for a hearing and sale] at either private or public sale without any court order or proceeding At least [five (5)] thirty (30) days notice of such [hearing and] sale shall be given to all the taxing authorities having an interest therein and if it be sold at public sale notice shall also be given by publication at least two times with approximately ten (10) days intervening in at least one (1) newspaper of general circulation published in the county setting forth the location of the property that was acquired at a public tax sale giving the date and place the terms of the proposed sale and that the property will be sold clear and free of all liens and charges (except ground rents if any) [and the lowest amount which the county is prepared to accept for the sale of the property

If after such hearing the court is satisfied that the proposed sale is proper and to the advantage of the county and the other taxing districts interested it shall allow any person to offer more than the minimum price fixed by the county or other price as the court may find proper and enter a decree approving such sale and directing a conveyance of such property to the person or persons purchasing the same upon the payment of the purchase price and all costs of the proceeding] The board of commissioners shall make a deed of any property sold by the county under the provisions of this clause under their hands and seals as commissioners with seal of the county attached and the same shall be a good and lawful conveyance in fee simple The title conveyed shall be free and clear of all tax and municipal claims mortgages liens and charges and estates of whatever kind except ground rents separately taxed

(b) In counties of the seventh and eighth classes whenever any property shall be put up for public sale upon order of court as provided in section six hundred twelve the county commissioners are hereby authorized to bid the sum of one dollar ($1) up to and including one dollar over and above all costs as prescribed in section six hundred twelve for said property at such sale and if the property is sold to them for the county the county shall take and have an absolute title free and clear of all tax and municipal claims mortgages liens and charges and estates of whatsoever kind except ground rents separately taxed in the same manner and to the same extent as a private purchaser would have taken

Any property purchased at such sale by the county may thereafter by the county commissioner be (1) leased to any taxing district to be used for public purposes (2) used for any suitable public purpose by the county or (3) sold in the same manner as any other real property owned in fee simple by the county

Section 6 Section 702 of said act as amended by the act approved the eighteenth day of January one thouand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 702 Powers and Duties of Bureau as Agent The property turned over to it as provided in the preceding section shall not be subject to redemption and until finally sold as hereinafter provided the bureau shall manage and control the property for the trustee county with power (a) except as hereinafter provided to lease the property for a period not exceeding one (1) year with the usual privilege of renewal on termination thereof upon three (3) months' notice and any such lease may be on a royalty basis for the purpose of extracting any minerals or oil or the cutting of timber (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenantable condition and to carry insurance on such property (c) to advertise the property for sale or for rent (d) to appoint an agent or agents who shall be a licensed real estate broker or agent to collect the rentals and pay such agents the customary commissions for rent collection (e) to harvest and sell the crops or produce of the property (f) to sell any scrap or salvage resulting from repairs or alterations to buildings on the property or from the demolition of buildings no longer safe for occupancy (g) to recover the cost of advertising repairs alterations or demolition of buildings the harvesting of crops and the commissions of rental agents from the rental or sale of the property or any crops or salvage therefrom and (h) to sell the property at private sale to give options thereon and receive option money and to make deeds for such property when sold in the same manner as provided in Article VI

In counties of the seventh and eighth classes the bureau shall not lease any property for the purpose of extracting any minerals or oil or the cutting of timber

The bureau shall not in any case incur any expense for the maintenance repair or alteration of any such property in excess of eighty per centum (80%) of the amount of rental to be received for such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred

Section 7 Section 703 of said act as amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 308) and the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 703 Such Properties to be Sold Under Provisions of Article VI (a) [All] Except in counties of the seventh and eighth classes all properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided with the exception of such properties leased to a previous owner or other member of his family dwelling therein and receiving or within the preceding sixty (60) days having received assistance from any public agency may be sold at public sale by the bureau upon written request of any taxing authorities having any tax claims or tax judgments against the property Such sale shall be made at the time specified in the request and in the same manner as if the property was being sold at a first sale on a tax claim as provided in Articles III and VI except that it shall be a simple public sale with no upset price and shall divest only the lien of tax claims and tax judgments The purchaser of any such property shall be given a deed executed and acknowledged as hereinbefore provided which shall convey title free clear and discharged of all tax claims and tax judgments whether or not returned filed or entered as provided by this or any other act The notices to be given of such sale as required in Article VI shall state that there is no upset price and that the sale shall divest only the lien of taxes and tax judgments

(b) In lieu of the public sale provided for in the preceding subsection or if such sale is held but the property is not sold due to the absence of any bid the bureau upon written request of any such interested taxing authorities may sell such property upon petition to court for an order to sell clear and free of all claims liens mortgages and

estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

(c) In counties of the seventh and eighth classes all properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided with the exception of such properties leased to a previous owner or other members of his family dwelling therein and receiving or within the preceding sixty (60) days having received assistance from any public agency shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-three or at a public sale held not later than two years after this act becomes effective as to such taxing district Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if no such request is made upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioners or trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court as herein provided freed and discharged from all liens and encumbrances as provided under Article VI

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wali,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1102, as follows:

An Act to amend Sections 1084 and 1086 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting the appointment of additional teachers and providing for their compensation and payment of traveling expenses for supervisors and teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1084 and 1086 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as added by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1215) are hereby amended to read as follows

Section 1084 Number of Supervisors In addition to the assistant county superintendents and supervisors of special education herein provided for there may be appointed the number of additional supervisors or teachers as is authorized by the county convention of school directors in the same manner as is provided in section one thousand fifty-three of the act to which this act is an amendment for the appointment of assistant county superintendents No additional supervisors or teachers shall be appointed unless the secretaries of all districts under the supervision of the county superintendent shall have been notified in writing forty (40) days prior to the county convention of school directors that action will be considered to provide such supervisors or teachers

Section 1086 Salaries Expenses Supervisors and teachers shall be paid traveling expenses and an annual salary

to be determined by the county convention of school directors Said salaries and expenses shall be paid by the Commonwealth out of the school appropriations apportioned to the school districts under the supervision of the county superintendent and to the school districts not under his jurisdiction but contracting with the county board of school directors for such services before the same is distributed

And said bill having been read at length the third time, considered andagreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gleason,	Markley,	Schmidt,
Alexander,	Glick,	Mathews,	Schuster,
Amarando,	Goodling,	Maxwell,	Schwartz,
Andrews,	Gramlich,	McCann,	Scott,
Ashton,	Greenwood,	McCormack,	Seyler,
Auker,	Guss,	McCullough,	Shoemaker,
Banker,	Gutendorf,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Bear,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Harris,	Mihm,	Stevenson,
Boies,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Bomberger,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip.	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Paul F.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Naugle,	Vaughan,
Clapper,	Jump,	Needham,	Verona,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peifly,	Wargo,
Cooper,	Kline,	Peta,	Waterhouse,
Coyle,	Kohl,	Petrosky,	Weidner,
Curwood,	Kolankiewicz,	Pettigrew,	Welsh,
Davis,	Kornick,	Pfaff,	Wescott,
Dougherty,	Kratz,	Phillips,	Whalley,
Down,	Kromer,	Polaski,	Wheeler,
Downey,	Kubacki,	Polen,	White,
Dunn,	Lafore,	Poltenstein,	Whitenight,
Erb,	Lederer,	Price,	Willaredt,
Ewing,	Leisey,	Quisenberry,	Williams,
Farabaugh,	Leonard,	Ragot,	Wilt,
Fenrich,	Leven,	Readinger,	Wood,
Ferster,	Light,	Reagan,	Worley,
Filo,	Limper,	Reidenbach,	Yeakel,
Flack,	Lippincott,	Richter,	Yetzer,
Floyd,	Lopresti,	Rosen,	Young,
Flynn,	Lovett,	Rovansek,	Zeitz,
Frost,	Lutty,	Royer,	Ziegler,
Geer,	Maguire,	Rubin,	Smith, C. C.,
Gibson,	Mahan,	Sarraf,	Speaker

NAYS—3

DuBois	Fleischman.	Strausser,

NOT VOTING—1

Watkins.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1109, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by providing for certain deductions for the calendar year one thousand nine hundred fifty-three and thereafter and providing for disposition of taxes penalties fines and bail forfeitures collected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 3 and 9 of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" as last amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1761) is hereby further amended to read as follows

Section 3 The amount of excise tax annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report and (2) in case of a company operating over routes when only a part of such routes lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles In the event that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the amount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as above computed upon satisfactory proof to the Department of Revenue of such payment In addition thereto where any such company has paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicle or motor vehicles used in the business of carrying passengers or property for hire over the highways of this Commonwealth it shall receive a credit in each settlement for gross receipts tax made hereunder to the extent of the total amount of the registration fee or fees paid for the calendar year of which the period covered by the settlement was a part

Section 9 All taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three division (1) of this act from companies operating routes which are entirely within the limits of this Commonwealth shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund and all taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three division (2) of this act from companies operating over routes when only a part of such routes lies within the Commonwealth shall be paid into the State Treasury through the Department of Revenue and credited to the Motor License Fund

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply to the excise tax imposed and payable hereunder for the calendar year one thousand nine hundred fifty-three and thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1132, Printer's No. 525

was passed over at the request of the SPEAKER

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236, as follows:

An Act to further amend Section 751 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the amount of expenditures which may be made without bids where work is for maintenance or alterations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 751 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 397) is hereby further amended to read as follows

Section 751 Work to be Done Under Contract Let on Bids Exception (a) All construction reconstruction repairs or work of any nature including the introduction of plumbing heating ventilating or lighting systems upon any school building or upon any school property made by any school district where the entire cost value or amount of such construction reconstruction repairs or work including labor and material shall exceed one thousand dollars ($1000) shall be done under separate contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids Provided That if due to an emergency a school plant or any part thereof becomes unusable competitive bids for repairs or replacements may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the board of school directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

(b) The board of school directors in any school district either may perform any construction reconstruction repairs alterations maintenance or work of any nature where the entire cost or value including labor and material is less than [one thousand dollars ($1000)] two thousand dollars ($2000) by its own maintenance personnel or may have any such construction reconstruction repairs alterations maintenance or work performed by contract after soliciting bids from at least three responsible bidders where the entire cost or value is less than one thousand dollars ($1000) and the work is not to be done by its own maintenance personnel Provided That the board of school directors in any school district may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is three hundred dollars ($300) or less without soliciting competitive bids

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,

Blair,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Bomberger,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hocker,	Moore,	Taylor,
Breisch,	Hoggard,	Moran,	Thomas,
Breth,	Ide,	Moscrip,	Thompson,
Brown,	Jenkins,	Muldowney,	Toll,
Bucchin,	Jim,	Munley,	Tompkins,
Buchanan,	Johnson,	Murray, J. J.,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—1

Greenwood,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1269, Printer's No. 488

House Bill No. 1276, Printer's No. 409 and

House Bill No. 1277, Printer's No. 410

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1306, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing issuance of resident fishing licenses to certain residents who intend to become naturalized

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section 220 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the acts approved the eighth day of May one thousand nine hundred forty-seven (P. L. 179) and the twentieth day of June one thousand nine hundred forty-seven (P. L. 657) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers and in the case of foreign-born residents the production of a copy of their declaration of intention to become citizens any time up to one year after the expiration of the minimum period fixed by law for naturalization on such declaration shall upon the payment to the issuing agent or the Department of Revenue of a license fee of two dollars ($2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

* * * * *

Section 2 Section 240 of the act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1145) is hereby further amended to read as follows

Section 240 Unnaturalized Foreign-born Not to Fish It shall be unlawful for any unnaturalized foreign-born resident unless holding a valid resident fishing license as provided by this act to go fishing for or capture or kill in this Commonwealth any fish of any description Provided however That the Commissioner with the approval of the Board may issue not more than fifty special fishing permits or complimentary licenses in each year to unnaturalized foreign-born persons or distinguished non-residents Each and every person violating any provision of this section shall upon conviction thereof in the manner provided in chapter fourteen of this act be sentenced to pay a penalty of twenty dollars for each offense

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,

Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. VAN SANT. I rise to a question of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr VAN SANT. In the All-Star game played in Cincinatti, the final score was the National League 5, the American League 1.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1347, entitled:

An Act to further amend Section 1 2 4 and 8 of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by regulating hours of minors when working on the farm of their parents.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCULLOUGH. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations. for possible amendment.

On the question,

Will the House agree to the motion?

Mr. TOLL. Mr. Speaker, although I am supposed to be up in the caucus, I am accidentally here, and my friend and colleague, and the gentleman who sits beside me asked me to urge you all to vote "No" on the motion to recommit, I ask for a roll call.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. TOLL and Mr. PETROSKY and were as follows:

YEAS—103

Ashton,	Geer,	Lippincott,	Shotwell,
Auker,	Gibson,	Mahan,	Spencer,
Banker,	Gleason,	Markley,	Stevenson,
Barkdoll,	Goodling,	Mathews,	Stimmel,
Baumunk,	Gramlich,	McCullough,	Stoner,
Bear,	Guss,	McInroy,	Strausser,
Blair,	Guthrie,	Metz,	Sucher,
Bolton,	Hall,	Miller,	Thompson,
Bomberger,	Hamilton, W. H.,	Moody,	Tompkins,
Bower,	Haudenshield,	Moore,	Toomey,
Breisch,	Helm,	Moscrip,	VanSant,
Brown,	Hewitt,	Murray, P. G.,	Wall,
Buchanan,	Hocker,	Naugle,	Waterhouse,
Bullen,	Ide,	Ogilvie,	Weidner,
Clapper,	Johnson,	Peifly,	Wescott,
Connelly,	Jones, Geo. E.,	Phillips,	Whalley,
Cooper,	Jones, T. H. W.,	Polen,	Whitenight,
Curwood,	Keller,	Price,	Willaredt,
Down,	Kent,	Quisenberry,	Wilt,
DuBois,	Kerlin,	Ragot,	Wood,
Erb,	Kline,	Reagan,	Worley,
Ewing,	Kratz,	Richter,	Yeakel,
Ferster,	Kromer,	Royer,	Young,
Flack,	Lafore,	Rubin,	Ziegler,
Fleischman,	Leisey,	Scott,	Smith, C. C., Speaker
Frost,	Light,	Shoemaker,	

NAYS—85

Adam,	Hamilton, R. K.,	McDermit,	Schuster,
Alexander,	Harris,	McGee,	Schwartz,
Amarando,	Hersch,	McWherter,	Seyler,
Andrews,	Jenkins,	Mihm,	Smith, W. B.,
Bazin,	Jim,	Mikula,	Snider,
Boory,	Jones, Gran'le E.	Mills,	Stank,
Breth,	Jones, Paul F.,	Moran,	Thomas,
Bucchin,	Jump,	Muldowney,	Toll,
Capano,	Kohl,	Murray, J. J.,	Varallo,
Cianfrani,	Kolankiewicz,	Musto,	Varner,
Cioffi,	Lederer,	Needham,	Vaughan,
Conner,	Leonard,	Parlante,	Verona,
Coyle,	Leven,	Petrosky,	Wallace,
Dougherty,	Limper,	Pfaff,	Walsh
Downey,	Lopresti,	Polaski,	Wargo,
Dunn,	Lovett,	Poltenstein,	Welsh,
Farabaugh,	Lutty,	Readinger,	Wheeler,
Fenrich,	Maguire,	Rosen,	White,
Filo,	Maxwell,	Rovansek,	Williams,
Floyd,	McCann,	Sarraf,	Yetzer,
Flynn,	McCormack,	Schmidt,	Zeitz,
Glick,			

NOT VOTING—19

Boles,	Gutendorf,	Monroe,	Reidenbach,
Cochran,	Hoggard,	Munley,	Stone,
Comer,	Kamyk,	Olsen,	Taylor,
Davis,	Kornick,	Peta,	Watkins,
Greenwood,	Kubacki,	Pettigrew,	

So the question was determined in the affirmative and the motion was agreed to.

BILL PASSED OVER

There being no objection,

House Bill No. 1348, Printer's No. 441,

was passed over at the request of the Speaker.

Agreebly to order,

The House proceeded to the third reading and consideration of House Bill No. 1349 as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating reimbursements on account of instruction of kindergarten pupils

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consoldating and changing the laws relating thereto" as last amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1783) is hereby further amended to read as follows

Section 2502 Payments on account of Instruction Every school district and every vocational school district shall be paid by the Commonwealth on account of the instruction of all pupils in average daily membership in the district's public schools joint elementary schools and joint high-schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils except kindergarten pupils in average daily membership in the district's public schools joint elementary schools and joint high schools and in the case of kindergarten pupils based on the number of kindergarten teachers employed by the district's standard reimbursement fraction and for the school year 1950-1951 by three thousand eight hundred fifty dollars ($3850) for the school year 1951-1952 by four thousand dollars ($4000) for the school year 1952-1953 by four thousand three hundred dollars ($4300) for the school year 1953-1954 by four thousand five hundred dollars ($4500) for the school year 1954-1955 by four thousand seven hundred dollars ($4700) for the school year 1955-1956 by four thousand nine hundred dollars ($4900) for the school year 1956-1957 by five thousand one hundred dollars ($5100) for the school year 1957-1958 by five thousand three hundred dollars ($5300) for the school year of 1958-1959 and for each school year thereafter by five thousand five hundred dollars ($5500) Provided That the amount of payment to be made by the Commonwealth to any school district during the school year 1951-1952 and 1952-1953 for the school years 1950-1951 and 1951-1952 on account of the instruction of pupils under the provisions of this section shall not be less than the amount paid to the district during the school year 1949-1950 on account of the instruction of pupils Provided further that if the number of teaching units in any school district for the school year 1950-1951 of 1951-1952 is less that the number of teaching units for the school year 1948-1949 the payment by the Commonwealth shall be reduced proportionately

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. Mr. Speaker, I rise in opposition to House Bill 1349, Printers No. 336.

By the terms of this bill the reimbursement which the several school districts in the Commonwealth of Pennsylvania are now receiving from the Commonwealth for the instruction of children in kindergartens will be cut in half. The kindergarten reimbursements are now based upon two classes per day, two instruction classes, therefore two reimbursements per day.

Now, the school districts which have set up their kindergarten programs based upon this reimbursement will lose the effect of one-half of their reimbursement and as we all know, the school districts are not in a position to take this cut.

I, therefore, ask each and every one of you coming from your several school districts to vote "No" on this bill.

Mr. SEYLER. Mr. Speaker, the kindergarten movement in education is a very old one, starting about the beginning of the 19th century, but for a long time, although the advantages were recognized by educators, it was only available to the children of the well-to-do, the wealthy. It has only been recently that it has been introduced as a part of the public schools.

Several years ago the Commonwealth of Pennsylvania offered the present method of reapportionment on behalf of kindergartens as an inducement to local districts to open kindergartens, and many local districts did. The kindergartens are running for about four years. In that time the people have been accustomed to that service, and have approved of it very much.

This is the situation the state has got the local districts into. If they remove this appropriation, they face one of two possibilities. Either they must retrench the program, abolish it or partially abolish it, or else they must raise more local tax money in order to take care of it.

I say the Commonwealth should make up its mind on a policy of this sort. They have gotten many of the local districts into the kindergarten business, and now they are withdrawing the inducement they gave to get them into the business, thus leaving the local district in a very embarrassing situation.

Let us face this frankly. This is simply one way of cutting appropriations to local districts. If it had been necessary to make large cuts in the amount of money you are going to give for education in the local district, then I would say this would be a logical place to begin. There is no doubt about it that this does represent a cut in the appropriation which the State is making to the local districts. I think every one should face that fact. I believe under our present fiscal situation there is no necessity for such retrenchment, and therefore, I would urge that the Members vote against this bill.

Mr. HELM. Mr. Speaker, I am afraid I cannot let the remarks of the two previous gentlemen go unanswered.

This bill does not cut the amount of the appropriation for kindergartens when you base it on the number of teachers employed in the teaching of kindergartens. I think it was the intent to reimburse for each teaching unit of kindergarten. Because of overcrowded conditions in some school districts, it has been necessary to teach kindergarten on the basis of half-day sessions, and they do teach, in many places, two classes by the same teacher. So actually, the one teacher who is teaching kindergarten

only does one day's work. We reimburse on that basis.

What is behind this, Mr. Speaker, is that we stand here on the floor of the House and preach economy. This bill is pure economy, and an evil which should be corrected. It seems the only time we are against economy is when it starts to affect our own district.

Mr. Speaker, this bill will save the Commonwealth of Pennslyvania $4 million. I Say that is real economy in education. It is an evil that should be corrected and therefore we should pass the bill.

Mr. SEYLER. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I would like to ask the gentleman how much money in state appropriations will the school districts of the Commonwealth of Pennsylvania lose if this bill is passed.

Mr. HELM. Four million dollars.

Mr. SEYLER. How much will the city of Philadelphia lose?

Mr. HELM. I cannot answer that question.

Mr. SEYLER. Can the gentleman tell me how much the County of Allegheny will lose?

Mr. HELM. I cannot.

Mr. SEYLER. Can the gentleman tell me how much his County will lose?

Mr. HELM. I cannot.

Mr. SEYLER. Does the gentleman agree that every one of the counties of Pennslyvania will suffer a substantial loss in state appropriations?

Mr. HELM. I certainly cannot say whether every county will suffer, because I do not know if there are any counties that do not teach kindergarten.

Mr. SEYLER. Would the gentleman maintain that the salary of the teacher is the only expense incurred by a school district in maintaining a kindergarten?

Mr. HELM. No, I will not.

Mr. SEYLER. I would ask the gentleman this: In view of the gentleman's superior knowledge to mine of the fiscal situation in the Commonwealth, now that the majority party has resolutely pushed through a tax program, would the gentleman say that retrenchment in expenditure for education is necessary at this session?

Mr. HELM. I do not think that retrenchment is necessary, and I do not think this bill will cause any retrenchment. I think the districts will still continue to teach kindergarten, but I think they will get their reimbursement on a fair basis.

Mr. SEYLER. Is it not true that the districts will receive less actual money from the Commonwealth as a result of passage of this bill?

Mr. HELM. That is right, to the tune of $4 million dollars.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

Mr. SCHMIDT. Mr. Speaker, so that there is no misapprehension, or misinformation as to the situation as it now exists, the Commonwealth of Pennsylvania and the Department of Education have been well aware of the fact that the kindergarten system throughout the Commonwealth has been conducted on a half-day basis. That is, most of the kindergarten classes have been one-half for one group of children, and then in the afternoon another group of children attend. These youngsters are not subjected to a full day of classes in school. All that is known and has been the case in the school system.

It has also been known that these school districts have been for years reimbursed on the basis of two separate teaching units per day. The fact that the Commonwealth of Pennsylvania now sees fit, or suggests that this be changed was because of the fact that there was a question of whether or not adequate funds would be raised by taxation. We now have these funds, and they are available as they were in the past biennium, and we are in a position to reimburse the school district on the same basis that we have done in years past.

The result is going to be, if this bill passes, that the difference, or the burden, will fall upon the local school districts, though each and every one of us knows at the present time that there is a struggle going on within our own school district in the search of additional funds to maintain our school system. We know that we have a problem in the City of Pittsburgh. We are trying to work it out to get additional funds and we cannot figure that we are going to lose these funds in Pittsburgh. Under the set-up if this bill passes, the city schools of Pittsburgh will lose $300,000 in the next biennium, by reason of this loss of reimbursement to the kindergarten classes. Likewise, in proportion, Philadelphia will lose, and through-out the Commonwealth, each school district, no matter what class it may be, that conducts kindergarten will lose their reimbursement.

I say to each and every one of you, before you decide your vote here today, determine whether or not the school district, the district which you now represent can take upon themselves the additional burden of reimbursing their school system for the funds which they will not receive from the Commonwealth of Pennsylvania.

Mr. READINGER. Mr. Speaker, I find that I cannot agree with my learned colleagues on this side in this matter. I do not think it was ever the intention of this House to allow the school district. in a sense, to profit by setting up kindergartens. Certainly we wanted to induce districts to have kindergarten classes,but I believe it was the thought in everyone's mind that the same philosophy of reimbursement would be followed in connection with the kindergartens as in connection with the regular class room teachers.

What the present law which the bill seeks to amend does is put a premium on setting up kindergartens. I do not think the question is whether or not our districts are going to lose some money; I think the question is, is it fair to move away from our philosophy of how they should be reimbursed in this instance, or should we not.

For example, I believe we should reexamine the manner in which the city of Philadelphia and Pittsburgh are reimbursed. Perhaps we are not being fair to those districts; and if we are not, we should certainly seek to save money wherever we can in order that we might give a more liberal allowance to those districts. If we refuse to save $4 million by doing this, then we are certainly not in a very good position to say to Philadelphia and Allegheny later when we decide they should be given more liberal allowances, "we are going to give them to you." Because by admission they are getting $300,000 in Allegheny

under this present setup which they will lose under this bill.

I do not think the approach should be made by killing this bill I think this one should be passed, and if we are not being fair to those districts we should pass other legislation which puts them on a fair basis.

Mr. SCHWARTZ. Mr. Speaker, I find I must disagree with Mr. Readinger. I dislike a bill like this going through without some provision being made at the same time to make up for the loss of revenue that all these school districts throughout the Commonwealth are about to experience.

I think this is bad legislation because the money that is gotten through these kindergarten classes is certainly used in the school districts for the teaching of pupils. Nobody grabs that money and puts it in their pockets.

In view of the fact that we have just passed the sales tax,—Mr. Speaker, I take that back. I yield to my Republican colleagues, they passed the sales tax—in view of that fact and in view of the fact that this particular tax is earmarked for education we certainly should not pass this type of legislation to retrench at this time.

Mr. Speaker, I am very happy to hear that my colleagues on the other side are listening so intently.

On the question recurring,

Shall the bill pass finally?

Aggreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. SCHMIDT, SARRAF and FILO.

The roll was verifield and was as follows:

YEAS—111

Ashton,	Gibson,	Lippincott,	Scott,
Auker,	Gleason,	Lopresti,	Shoemaker,
Banker,	Goodling,	Lovett,	Shotwell,
Barkdoll,	Gramlich,	Mahan,	Spencer,
Baumunk,	Greenwood,	Markley,	Stevenson,
Bear,	Guthrie,	Mathews,	Stimmel,
Blair,	Hall,	McCullough,	Stoner,
Bolton,	Hamilton, W. H.,	McInroy,	Strausser,
Bomberger,	Helm,	Metz,	Sucher,
Bower,	Hewitt,	Mikula,	Tompkins,
Breisch,	Hocker,	Miller,	Toomey,
Brown,	Ide,	Moody,	VanSant,
Buchanan,	Jenkins,	Moore,	Varner,
Capano,	Johnson,	Moscrip,	Wall,
Clapper,	Jones, Geo. E.,	Murray, J. J.,	Waterhouse,
Connelly,	Jones, T. H. W.,	Murray, P. G.,	Weidner,
Davis,	Jump,	Naugle,	Wescott,
Down,	Keller,	Ogilvie,	Whalley,
DuBois,	Kent,	Peifly,	White,
Dunn,	Kerlin,	Petrosky,	Willaredt,
Erb,	Kline,	Phillips,	Wilt,
Farabaugh,	Kohl,	Polen,	Wood,
Ferster,	Kolankiewicz,	Quisenberry,	Worley,
Flack,	Kratz,	Ragot,	Yeakel,
Fleischman,	Kromer,	Readinger,	Young,
Flynn,	Lafore,	Reagan,	Ziegler,
Frost,	Leisey,	Royer,	Smith, C. C., Speaker
Geer,	Light,	Rubin,	

NAYS—80

Adam,	Filo,	McWherter,	Schuster,
Alexander,	Floyd,	Mihm,	Schwartz,
Amarando,	Glick,	Mills,	Seyler,
Andrews,	Guss,	Monroe,	Smith, W. B.,
Bazin,	Hamilton, R. K.,	Moran,	Snider,
Boory,	Harris,	Muldowney,	Stank,
Bucchin,	Hersch,	Musto,	Thomas,
Bullen,	Jim,	Needham,	Thompson,
Cianfrani,	Jones, Gran'le E.,	Parlante,	Toll,
Cioffi,	Jones, Paul F.,	Peta,	Varallo,
Comer,	Lederer,	Pettigrew,	Vaughan,
Conner,	Leonard,	Pfaff,	Verona,
Cooper,	Leven,	Polaski,	Wallace,
Coyle,	Limper,	Poltenstein,	Walsh,
Curwood,	Lutty,	Price,	Wargo,
Dougherty,	Maguire,	Richter,	Welsh,
Downey,	Maxwell,	Rosen,	Wheeler,
Ewing,	McCormack,	Rovansek,	Whitenight,
Fenrich,	McDermit,	Sarraf,	Williams,
	McGee,	Schmidt,	Yetzer,
			Zeitz,

NOT VOTING—16

Boles,	Haudenshield,	Kubacki,	Reidenbach,
Breth,	Hoggard,	McCann,	Stone,
Cochran,	Kamyk,	Munley,	Taylor,
Gutendorf,	Kornick,	Olsen,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreebly to order,

The House proceeded to the third reading and consideration of House Bill No. 1384 as follows:

An Act to amend the title and the act approved the twenty-fifth day of April one thousand nine hundred thirty-five (P. L. 82) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutives hours of rest each week and fourteen days vacation each year except in emergency cases" by changing the provision thereof relating to annual vacations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-fifth day of April one thousand nine hundred thirty-five (P. L. 82) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" which was repealed as to cities of the third class by the act approved the sixteenth day of May one thousand nine hundred thirty-seven (P. L. 103) are hereby amended to read as follows

An Act

Requiring [certain cities] cities of the second class to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen working days vacation each year except in emergency cases

Section 1 Be it enacted &c That any city [except cities of first class and second class A] of the second class having fire departments shall allow and permit every member of such fire departments to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and to have an annual vacation of not less than fourteen working days without diminution of the salary or compensation fixed by ordinance or resolution of such city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Adam,	Gleason,	Mathews,	Shotwell,
Ashton,	Goodling,	Maxwell,	Spencer,
Banker,	Gramlich,	McCullough,	Stank,
Barkdoll,	Greenwood,	McDermit,	Stevenson,
Baumunk,	Gutendorf,	McInroy,	Stimmel,
Bear,	Hall,	Metz,	Stoner,
Blair,	Hamilton, W. H.,	Mikula,	Strausser,

Bolton,	Haudenshield,	Miller,	Sucher,
Bomberger,	Helm,	Mills,	Thompson,
Bower,	Hewitt,	Moody,	Tompkins,
Breisch,	Hocker,	Moore,	Toomey,
Brown,	Ide,	Moran,	VanSant,
Buchanan,	Johnson,	Moscrip,	Varner,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	Vaughan,
Capano,	Jones, T. H. W.,	Naugle,	Wall,
Clapper,	Jump,	Needham,	Waterhouse,
Connelly,	Keller,	Ogilvie,	Weidner,
Cooper,	Kent,	Peifly,	Wescott,
Davis,	Kerlin,	Phillips,	Whalley,
Down,	Kline,	Polen,	Willaredt,
DuBois,	Kohl,	Price,	Williams,
Dunn,	Kratz,	Quisenberry,	Wilt,
Erb,	Kromer,	Ragot,	Wood,
Ewing,	Lafore,	Reagan,	Worley,
Ferster,	Leisey,	Richter,	Yeakel,
Flack,	Light,	Rovansek,	Yetzer,
Fleischman,	Lippincott,	Royer,	Young,
Flynn,	Lopresti,	Rubin,	Ziegler,
Frost,	Lovett,	Schuster,	Smith, C. C., Speaker
Geer,	Mahan,	Scott,	
Gibson,	Markley,	Shoemaker,	

NAYS—63

Alexander,	Floyd,	McCann,	Schmidt,
Amarando,	Glick,	McCormack,	Schwartz,
Andrews,	Hamilton, R. K.,	McGee,	Seyler,
Bazin,	Harris,	McWherter,	Smith, W. B.,
Boory,	Hersch,	Mihm,	Snider,
Bucchin,	Hoggard,	Monroe,	Stone,
Cianfrani,	Jenkins,	Murray, J. J.,	Thomas,
Cioffi,	Jim,	Parlante,	Toll,
Comer,	Jones, Gran'le E.,	Petrosky,	Varallo,
Conner,	Jones, Paul F.,	Pettigrew,	Wallace,
Coyle,	Kolanklewicz,	Pfaff,	Walsh,
Curwood,	Leonard,	Polaski,	Welsh,
Dougherty,	Leven,	Poltenstein,	White,
Farabaugh,	Limper,	Readinger,	Whitenight,
Fenrich,	Lutty,	Rosen,	Zeitz,
Filo,	Maguire,	Sarraf,	

NOT VOTING—22

Auker,	Gutendorf,	Munley,	Taylor,
Boles,	Kamyk,	Musto,	Verona,
Breth,	Kornick,	Olsen,	Wargo,
Cochran,	Kubacki,	Peta,	Watkins,
Downey,	Lederer,	Reidenbach,	Wheeler,
Guss,	Muldowney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1400, Printer's No. 526, and

House Bill No. 1405, Printer's No. 412,

were passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1408 as follows:

An Act making resolutions of school districts which impose a tax valid notwithstanding failure to advertise intention to adopt such resolutions in a newspaper of general circulation within such school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any school district has heretofore adopted a resolution providing for the assessment levy and collection of a tax for general revenue school purposes in accordance with the provisions of any Act of Assembly of the Commonwealth and has given proper notice of its intention to adopt such resolution in the legal journal designated by rules of court for publication of legal notices and advertisements and in a newspaper of general circulation within the county in which the school district is located in accordance with the provisions of the Act of Assembly authorizing the assessment levy and collection of such tax the resolution shall be valid and enforceable notwithstanding the fact that notice of intention to adopt it was not advertised in a newspaper of general circulation within the school district if all other requirements of law concerning the adoption of the resolution and the proceedings relative thereto were complied with

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Gutendorf,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Cochran,	Jones, T. H. W.,	Needham,	Verona,
Clapper,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolanklewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1442 as follows:

An Act to further amend Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right if eminent domain on such Authorities authorizing such Authorities to enter into contract with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing that no fishing shall be permitted on Authority waters unless the privilege is available to all licensed fishermen.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow moneys and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisidiction on certain courts over rates" is hereby further amended by adding thereto a subsection D to read as follows

Section 4 Purposes and Powers General

* * * * *

D No Authority having any stream or body of water under its control and jurisdiction shall permit fishing of any character thereon unless such fishing rights or privileges shall be made available to all persons duly licensed to fish under the laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Mahan,	Schmidt,
Alexander,	Gleason,	Markley,	Schuster,
Amarando,	Glick,	Mathews,	Schwartz,
Andrews,	Goodling,	Maxwell,	Scott,
Ashton,	Gramlich,	McCann,	Seyler,
Auker,	Greenwood,	McCormack,	Shoemaker,
Banker,	Guss,	McCullough,	Shotwell,
Barkdoll,	Gutendorf,	McDermit,	Smith, W. B.,
Baumunk,	Guthrie,	McGee,	Snider,
Bazin,	Hall,	McInroy,	Spencer,
Bear,	Hamilton, R. K.,	McWherter,	Stank,
Blair,	Hamilton, W. H.,	Metz,	Stevenson,
Boies,	Harris,	Mihm,	Stimmel,
Bolton,	Haudenshield,	Mikula,	Stone,
Bomberger,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Thompson,
Bucchin,	Jenkins,	Moscrip,	Toll,
Buchanan,	Jim,	Muldowney,	Tompkins,
Bullen,	Johnson,	Munley,	Toomey,
Capano,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cioffi,	Jones, Paul F.,	Musto,	Varner,
Clapper,	Jones, T. H. W.,	Naugle,	Vaughan,
Cochran,	Jump,	Needham,	Verona,
Comer,	Kamyk,	Ogilvie,	Wall,
Connelly,	Keller,	Olsen,	Wallace,
Conner,	Kent,	Parlante,	Walsh,
Cooper,	Kerlin,	Peifly,	Wargo,
Coyle,	Kline,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pettigrew,	Welsh,
Dougherty,	Kornick,	Pfaff,	Wescott,
Down,	Kratz,	Phillips,	Whalley,
Downey,	Kromer,	Polaski,	Wheeler,
DuBois,	Kubacki,	Polen,	White,
Dunn,	Lafore,	Poltenstein,	Whitenight,
Erb,	Lederer,	Price,	Willaredt,
Ewing,	Leisey,	Quisenberry,	Williams,
Farabaugh,	Leonard,	Ragot,	Wilt,
Fenrich,	Leven,	Readinger,	Wood,
Ferster,	Light,	Reagan,	Worley,
Filo,	Limper,	Reidenbach,	Yeakel,
Flack,	Lippincott,	Richter,	Yetzer,
Fleischman,	Lopresti,	Rosen,	Young,
Floyd,	Lovett,	Rovansek,	Zeitz,
Flynn,	Lutty,	Royer,	Ziegler,
Frost,	Maguire,	Rubin,	Smith, C. C., Speaker
Geer,		Sarraf,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1446, Printer's No. 415

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1453 as follows:

An Act to further amend subdivision five of the compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit on portions of said lake the operation of boats equipped with motors of limited horsepower rating or development

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision five of the compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" as amended by the act approved the twentieth day of April one thousand nine hundred forty-five (P. L. 282) is hereby further amended to read as follows

5 Boats and Vessels No hydroplanes or aquaplanes nor any type of boats equipped with motors having a

developed horsepower rating in excess of six unless such motors are equipped with governors as hereafter provided shall be permitted anywhere on said lake Sail boats row boats canoes and power or motor boats equipped with motors having a developed horsepower rating of six or less or equipped with motors having governors attached in such manner that the motors will develop no more than six horsepower shall be permitted provided the owners first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt Provided nevertheless That the use of any type of power motor boats is expressly limited and restricted to that portion of the lake extending from the main dam near Jamestown northwardly to the Pennsylvania Railroad track running southerly from Linesville

Section 2 This act shall become effective immediately upon final enactment but shall not become operative until passage by the State of Ohio of a substantially similar amendatory act ratifying the changes in the compact herein proposed and the passage of an Act of Congress of the United States of America consenting thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moscrip,	Thompson,
Brown,	Jenkins,	Muldowney,	Toll,
Bucchin,	Jim,	Munley,	Tompkins,
Buchanan,	Johnson,	Murray, J. J.,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeltz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker
Gibson,			

NAYS—2

Down, Moran,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1455 as follows:

An Act to further amend Clause (1) of Section 1101 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by adding the terms coordinators directors and public school psychologists to the definition of professional employe

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of Section 1101 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1365) is hereby further amended to read as follows

Section 1101 Definitions As used in this article

(1) The term "professional employe" shall include those who are certified as teachers supervisors coordinators directors public school psychologists supervising principals prinicipals directors of vocational education dental hygiensts visiting teachers home and school visitors school counselors school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Tompkins,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,

Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1482, Printer's No. 468

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1483 as follows:

An Act authroizing acknowledgements and affidavits by persons on active duty with the armed forces of the United States before persons authorized by act of congress to act as notaries public and validating certain acknowledgments and affidavits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any written instrument may be acknowledged or any affdavit may be made by any person executing the same or swearing or affirming thereto while on active duty with the armed forces of the United States before a person having powers of a notary public under the provisions of the act of Congress approved the fifth day of May one thousand nine hundred fifty Chapter 169 Section one 64 statutes 143 USC title 50 section 732 Any such instrument in writing so acknowledged or sworn or affirmed to and certified under the hand of such person acting as a notary public may be offered in evidence without further proof and if it relates to concerns or conveys any interest in lands it may be recorded in the recorders office of the county or counties where such lands lie and the record of the same shall be constructive notice of all matters contained therein and such record or exemplification of the same duly certified shall be legal evidence in all cases in which the orignal would be competent evidence

Section 2 Any acknowledgement of a written instrument or any affidavit heretofore made by any person executing the same or swearing or affirming thereto while on active duty with the armed forces of the United States before and certifield by any person authorized to act as a notary public under Article 114 of the Articles of War as amended by the Act of Congress approved the fourteenth day of December one thousand nine hundred forty-two Chapter 730 56 Statutes 1050 USC Title 10 section one thousand five hundred eighty-six or under the Act of Congress approved the fifth day of May one thousand nine hundred-fifty Chapter 169 section one 64 Statutes 143 USC Title 50 section seven hundred thirty-two during the period he was so authorized is hereby validated notwithstanding the fact that at the time he so acted he was not authorized to act as a notary public under the laws of Pennsylvania All instruments in writing so acknowledged or sworn or affirmed to and certified may be offered in evidence without further proof and if such instrument so acknowledged and certifield conveys or relates to or concerns any interest in lands it may be recorded in the recorders office of the county or counties where such lands lie and the record of the same made before or after the passage of this act shall be constructive notice of all matters contained therein and such record or exemplification of same duly certifield shall be legal evidence in all cases in which the orignal would be competent evidence

Section 3 The act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 136) entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority" and its amendments are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Iae.	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,

Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1486 as follows:

An Act to further amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by fixing the minimium prices of wines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1863) is hereby further amended to read as follows

Section 207 General Powers of Board Under this act the board shall have the power and its duty shall be

* * * * *

(b) To control the manufacture possession sale consumption importation use storage transportation and delivery of liquor alcohol and malt or brewed beverages in accordance with the provisions of this act and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania Liquor Stores Provided That in fixing the sale prices the board shall not give any preference or make any discrimination as to classes brands or otherwise except where special sales are deemed necessary to move unsaleable merchandise or except where the addition of a service or handling charge to the fixed sales price of any merchandise in the same comparable price bracket regardless of class brand or otherwise is in the opinion of the board required for the efficient operation of the State store system And provided further That the minimum retail prices of all wines containing over fourteen percent alcohol by volume sold in Pennsylvania shall be seventy-five (75) cents for each container measuring four-fifths (4/5) of a quart ninety (90) cents for each container measuring one quart one dollar and seventy-five cents ($1.75) for each container measuring one-half (½) gallon and three dollars ($3.00) for each container measuring one (1) gallon and the minimum retail prices of all wines containing fourteen percent or less alcohol by volume sold in Pennsylvania shall be fifty (50) cents for each container measuring four-fifths (4/5) of a quart sixty (60) cents for each container measuring one quart one dollar and five cents ($1.05) for each container measuring one-half (½) gallon and two dollars ($2.00) for each container measuring one (1) gallon Such minimum prices of wines shall be construed to be based upon the board's mark-ups and the taxes upon wine on the effective date of this amending act and any increases in such mark-ups or taxes or service charges or other similar charges hereafter becoming effective shall be added to the above stated minimum prices The board shall require each Pennsylvania manufacturer and each nonresident manufacturer of liquors other than wine selling such liquors to the board which are not manufactured in this Commonwealth to make application for and be granted a permit by the board before such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer Each such manufacturer shall pay for each permit a fee which in the case of a manufacturer of this Commonwealth shall be equal to that required to be paid if any by a manufacturer or wholesaler of the state territory or country of origin of the liquors for selling liquors manufactured in Pennsylvania and in the case of a nonresident manufacturer shall be equal to that required to be paid if any in such state territory or country by Pennsylvania manufacturers doing business in such state territory or country In the event that any such manufacturer shall in the opinion of the board sell or attempt to sell liquors to the board through another person for the purpose of evading this provision relating to permits the board shall require such person before purchasing liquors from him or it to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer All permit fees so collected shall be paid into the State Stores Fund The board shall not purchase any alcohol or liquor fermented distilled rectified compounded or bottled in any state territory or country the laws of which result in prohibiting the importation therein of alcohol or liquor fermented distilled rectified compounded or bottled in Pennsylvania

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr Speaker, here we have a very pecular bill, destined I have no doubt for passage by this House. It has very able sponsors and has a very interested constituency, and the people interested in this bill have a lot of friends in this Chamber.

This bill is designed specifically to establish certain firms in the wine business in Pennsylvania. It seems that as a result of competition California has been able to bottle wine, certain grades of wine, cheaper than Pennsylvania bottlers have been able to bottle it. And so the bottling business of wine has departed from our midst and most of the bottling is being done in California.

We have various of our friends who want to bring

the wine bottling business back, they want to establish some of our friends in business in Pennsylvania, they are very good friends. Incidentally from information I have no doubt, from past records, that the people we want to establish in the wine bottling business will be very substantial contributors to both political parties.

As a matter of principle I am opposed to legislation designed to interfere with commerce between the states and with the magnificent attribute that we boast about so much here in America, "free enterprise".

If Pennsylvania cannot bottle wine in competition with the national situation, that is too bad. But these people want to bottle wine. Whether we ought to rush to their recue and arbitrarily establish a wine bottling business in Pennsylvania is a very serious problem.

This bill would establish certain minimum prices for wine. The wine, according to the bill, is regulated by alcoholic content. You can get an awfully bad wine that has a high alcoholic content. You can get a wine that has a lower alcoholic content that is good wine. This is a bill designed to bring our friends back into Pennsylvania to bottle bad wine at a minimum price. If that is the way you want to do business, establishing these minimums and placing barriers on interstate commerce, why that's what you want to do.

Incidentally, I have no doubt that 97 percent of the Members on this side of the House will vote for this bill. I had to make a special plea in my caucus to be permitted to oppose it. They agreed that I could oppose it, but they also agreed that I might oppose it from four o'clock until seven, and they would still vote for the bill.

Anyhow, I think it is a bad bill. I think it is bad practice. I am against the bill and I have said my say, and thank you.

Mr. VAUGHAN. Mr. Speaker, I rise to defend this bill for one real good reason, I think, and that is that it helps the workers in Pennsylvania because Pennsylvania industry buys all their bottles here. They hire men in this state; they bring in this wine from California, as Mr. Andrews has said, but in California they do not pay the corporate tax that we do here, therefore they can bring it in and undersell these fellows.

In Ohio and Michigan they have this same particular law which we are trying to pass here, and on top of that it will bring in approximately $4 million to the General Fund of the state of Pennsylvania, and the Lord knows we need the money.

Mr. AUKER. Mr. Speaker, I am not going to debate the bill, I am just glad to hear that my friend, the gentleman from Cambria, Mr. Andrews, is such a connoisseur of wine.

Mr. ANDREWS. Mr. Speaker, I would not claim to be a connoisseur of wine, but I am tired of drinking muddy, Pennsylvania port.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—133

Adam,	Frost,	McCormack,	Spencer,
Alexander,	Geer,	Mihm,	Stahl,
Amarando,	Gibson,	Mikula,	Stimmel,
Auker,	[illegible]son,	Miller,	Stone,
Banker,	Glick,	Monroe,	Stoner,
Baumunk,	Goodling,	Moody,	Strausser,
Bazin,	Greenwood,	Moore,	Sucher,
Blair,	Hamilton, R. K.,	Moran,	Taylor,
Bolton,	Haudenshield,	Muldowney,	Thomas,
Bomberger,	Hersch,	Murray, J. J.,	Thompson,
Boory,	Hewitt,	Murray, P. G.,	Toll,
Bower,	Hocker,	Musto,	Toomey,
Breisch,	Jenkins,	Naugle,	VanSant,
Brown,	Jim,	Needham,	Varallo,
Bucchin,	Jones, Geo. E.,	Parlante,	Vaughan,
Buchanan,	Jones, Gran'le E.,	Petrosky,	Verona,
Bullen,	Jones, Paul F.,	Pettigrew,	Wallace,
Capano,	Jump,	Pfaff,	Walsh,
Cianfrani,	Keller,	Polaski,	Wargo,
Cioffi,	Kent,	Price,	Waterhouse,
Comer,	Kerlin,	Quisenberry,	Weidner,
Connelly,	Kline,	Readinger,	Welsh,
Conner,	Kohl,	Reidenbach,	White,
Cooper,	Kolankiewicz,	Richter,	Willaredt,
Coyle,	Lafore,	Royer,	Williams,
Curwood,	Lederer,	Rubin,	Wilt,
Dougherty,	Leisey,	Sarraf,	Worley,
Dunn,	Leonard,	Schmidt,	Yeakel,
Erb,	Leven,	Schuster,	Yetzer,
Ewing,	Lutty,	Schwartz,	Young,
Fenrich,	Maguire,	Scott,	Zeitz,
Filo,	Markley,	Shoemaker,	Smith, C. C., Speaker
Flack,	Mathews,	Smith, W. B.,	
Flynn,	McCann,		

NAYS—55

Andrews,	Guss,	Mahan,	Ragot,
Ashton,	Guthrie,	Maxwell,	Rosen,
Barkdoll,	Hall,	McCullough,	Rovansek,
Bear,	Harris,	McDermit,	Shotwell,
Clapper,	Helm,	McInroy,	Snider,
Davis,	Ide,	McWherter,	Stevenson,
Down,	Johnson,	Metz,	Tompkins,
Downey,	Jones, T. H. W.,	Mills,	Wall,
DuBois,	Kratz,	Moscrip,	Wescott,
Farabaugh,	Kromer,	Ogilvie,	Whalley,
Ferster,	Limper,	Peifly,	Whitenight,
Fleischman,	Lippincott,	Phillips,	Wood,
Floyd,	Lopresti,	Polen,	Ziegler,
Gramlich,	Lovett,	Poltenstein,	

NOT VOTING—19

Boles,	Hoggard,	McGee,	Seyler,
Breth,	Kamyk,	Munley,	Varner,
Cochran,	Kornick,	Olsen,	Watkins,
Gutendorf,	Kubacki,	Peta,	Wheeler,
Hamilton, W. H.,	Light,	Reagan,	

The majority required by the Constitution voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1489, Printer's No. 497,

was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1490 as follows:

An Act to amend Section 5 of the act approved the first day of February one thousand eight hundred sixty-six (P.L. 8) entitled "A supplement to an act entitled 'An Act for the better management of the Allegheny county prison' approved the twenty-third day of March Anno Domini one thousand eight hundred and sixty-five" by further regulating the trasfer or removal of inmates from jails in Allegheny County and further providing for the transfer of mentally ill inmates to State Mental Hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 5 of the act approved the first day of February one thousand eight hundred sixty-six (P.L. 8)

entitled "A supplement to an act entitled 'An Act for the better management of the Allegheny county prison approved the twenty-third day of March Anno Domini one thousand eight hundred and sixty-five" is hereby amended to read as follows

Section 5 That when the arrangements are completed for the reception of inmates it shall be the duty of the inspectors to transfer from the county prison to the workhouse all persons having more than ten days to serve who shall have been committed for vagrancy drunkeness or disorderly conduct and also such other persons as the court of criminal jurisdiction of Allegheny County may direct to be so transferred and thereafter when any person or persons shall be convicted in said court of any offence the punishment whereof by existing laws is or may be imprisonment in the county jail said court may sentence such person or persons to either the said jail or workhouse at its discretion and all committing magistrates in said county thereafter shall sentence to the workhouse all persons convicted of vagrancy drunkeness or disorderly conduct or of any other offence for which they may now be sentenced to imprisonment in the county jail there to be fed and clothed and treated as provided for in this act and the rules and regulations of said house Provided That the superintendent may under the direction of the inspectors or of the court of quarter sessions remove any inmate to the county prison for the unexpired portion of his or her term of commitment or to the poor house of the proper city or county or to any hospital [or lunatic asylum] in said county as circumstances may require

Inmates of prisons in Allegheny County who are mentally ill may be transferred to State Mental hospitals by complying with the provisions of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) known as "the mental health act of 1951"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McGee,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Granle E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Comer,	Jump,	Ogilvie,	Wall,
Conner,	Kamyk,	Olsen,	Wallace,
Cochran,	Keller,	Parlante,	Walsh,
Connelly,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Cooper,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeits,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, O. C., Speaker
Frost	Maguire,	Sarraf,	
Geer,	Mahan.	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1511, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I hesitate to rise in opposition to this Joint Resolution, but I feel I must.

This would, by constitutional amendment, remove from taxation of any kind on a state or local level blind persons and other persons who have lost limbs as a result of being in the service of the country.

I think it would be much wiser not to pass this bill and to have a new one drafted which would allow the Legislature to enact laws relieving these people from taxation.

I repeat, Mr. Speaker, I think this is an unwise Resolution to pass. If the Legislature were by this Resolution authorized to make laws exempting certain persons from taxation, something we cannot now do for the reasons set forth in this Resolution. I think we would be taking a step in the right direction. I refuse to let my sympathies—and my sympathies are certainly in favor of the people involved in this Resolution—I refuse to let those sympathies blind what I consider my good sense.

I can conceive of some persons who are blind or who have been subject to the loss of limbs, and so forth, having great amounts of wealth. It is easy to conceive that a person who is blind or who has lost a leg might be worth a half million dollars; he mights have a $50,000 home. For us to say by a Constitutional amendment that that person should be completely beyond taxation, to me does not make sense. There are many instances where we could, by legislation, relieve these people, but this is not the way in my opinion.

I think this Joint Resolution should be voted down.

Mr. GEER. Mr. Speaker, I have approached this thing

in just about the same way that the gentleman from Berks Mr. Readinger, has.

In addition I would like to point out that I think it is getting very, very specific in our Constitution to put a thing such as that in it. It really is writing that one would ordinarily see in a statue, and it is going pretty far to put it into the fundamental law.

I agree there should be some Constitutional permission to allow the Legislature to permit such discrimination in regard to tax obligations.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

House Bill No. 1530, Printer's No. 500,

was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1535, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the issuance of an operator's license.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. GUTHRIE. Mr. Speaker, at the request of the sponsor I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1537, as follows:

An Act to further amend Subsection (b) of Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the approval by the Department of Public Instruction of leases heretofore entered into by school districts with Municipality Authorities and nonprofit corporations prescribing the powers of the department as to such leases and the payment of reimbursement moneys to the school district and validating certain leases and approvals heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-first day of January one thousand nine hundred fifty-two (P. L. 2195) is hereby further amended to read as follows

Section 2511.1 Payments on Account of Obligations to State Public School Building Authority and on Account of Rentals Payable to Municipality Authorities and Non-profit Corporations

* * * * *

(b) The Commonwealth shall also pay commencing with the school year one thousand nine hundred fifty-one one thousand nine hundred fifty-two (1951-1952) and annually in each school year thereafter to each school district which shall have entered into an approved lease with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the rental or share thereof paid by the school district during the prior school year under its [leave] lease with such municipality authority or non-profit corporation or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental or share thereof paid by the school district during the prior school year under its lease with such municipality authority or non-profit corporation No payment shall be made to any school district on account of any lease entered into with any municipality authority or non-profit corporation unless such lease is approved by the Department of Public Instruction [The] Except as hereinafter provided the Department of Public Instruction shall give its approval to any lease heretofore or hereafter entered into if it shall find that the leased project is in conformance with general county and State plans for an orderly development of improved attendance areas and administrative units and for the improved housing of public schools in the Commonwealth that the school building will conform with standards and regulations prescribed by the department with respect to educational design location usefulness for community activities safety comfort and convenience and that the school district or school districts to which the project is to be leased will have the ability to meet from current revenues the rental or their respective shares of rental to be paid to the municipality authority or non-profit corporation under the proposed lease and to defray the cost of their respective shares of the cost of operation and maintenance of the project The department shall have the right to disapprove or approve with reservations a lease because of any failure on the part of the Authority or school district to comply with the provisions of the laws of the Commonwealth relating to such Authority or school district only to such extent as will prevent the school district from paying a greater sum as rental because of such noncompliance with law For that purpose the department may require a modification of the lease if not at that time executed or may approve the lease with the reservation that the department will pay the reimbursement on that amount

only which would have been determined by reason of the lower rental.

Section 2 In all cases where leases referred to in this act have been entered into by any school district with a Municipality Authority or non-profit corporation and approved by the Department of Public Instruction prior to the effective date of this act such leases and the approvals thereof are hereby ratified and made valid to the same extent as if they had been entered into and approved subsequent to the effective date of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gleason,	Markley,	Schmidt,
Alexander,	Glick,	Mathews,	Schuster,
Amarando,	Goodling,	Maxwell,	Schwartz,
Andrews,	Gramlich,	McCann,	Scott,
Ashton,	Greenwood,	McCormack,	Seyler,
Banker,	Guss,	McCullough,	Shoemaker,
Barkdoll,	Gutendorf,	McDermit,	Shotwell,
Baumunk,	Guthrie,	McGee,	Smith, W. B.,
Bazin,	Hall,	McInroy,	Snider,
Bear,	Hamilton, R. K.,	McWherter,	Spencer,
Blair,	Hamilton, W. H.,	Metz,	Stank,
Boles,	Harris,	Mihm,	Stevenson,
Bolton,	Haudenshield,	Mikula,	Stimmel,
Bomberger,	Helm,	Miller,	Stone,
Boory,	Hersch,	Mills,	Stoner,
Bower,	Hewitt,	Monroe,	Strausser,
Breisch,	Hocker,	Moody,	Sucher,
Breth,	Hoggard,	Moore,	Taylor,
Brown,	Ide,	Moran,	Thomas,
Bucchin,	Jenkins,	Moscrip,	Thompson,
Buchanan,	Jim,	Muldowney,	Toll,
Bullen,	Johnson,	Munley,	Tompkins,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Gran'le E.	Murray, P. G.,	VanSant,
Cioffi,	Jones, Paul F.,	Musto,	Varner,
Clapper,	Jones, T. H. W.,	Naugle,	Varallo,
Cochran,	Jump,	Needham,	Vaughan,
Comer,	Kamyk,	Ogilvie,	Verona,
Connelly,	Keller,	Olsen,	Wall,
Conner,	Kent,	Parlante,	Wallace,
Cooper,	Kerlin,	Peifly,	Walsh,
Coyle,	Kline,	Peta,	Wargo,
Curwood,	Kohl,	Petrosky,	Waterhouse,
Davis,	Kolankiewicz,	Pettigrew,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
Dunn,	Kubacki,	Polen,	Wheeler,
Erb,	Lafore,	Poltenstein,	White,
Ewing,	Lederer,	Price,	Whitenight,
Farabaugh,	Leisey,	Quisenberry,	Willaredt,
Fenrich,	Leonard,	Ragot,	Williams,
Ferster,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reagan,	Wood,
Flack,	Limper,	Reidenbach,	Worley,
Fleischman,	Lippincott,	Richter,	Yeakel,
Floyd,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeltz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—2

Auker,	DuBois,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1538 as follows:

An Act validating certain contracts entered into by Municipality Authorities for the construction of school projects without receiving separate bids and awarding separate contracts for heating and ventilating work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any Municipality Authority shall have heretofore entered into any contract with the lowest responsible bidder for the construction of any school project or projects authorized by law and the contract was awarded without having separate specifications and without receiving separate bids and awarding separate contracts for the heating and ventilating work as required by law and the contract has been performed and the Authority has received the benefits therefrom if said contract does not evidence any fraud or conspiracy to violate the laws of the Commonwealth and neither the Authority nor the school district or districts for whose benefit the project is constructed has suffered any pecuniary loss as the result of such failure to comply with the law then such contract is hereby ratified and made valid to the same extent as if separate specifications has been prepared separate bids received and separate contracts awarded for the heating and ventilating work

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EWING. Mr. Speaker, I would like to inform the Members voting on these bills that they are all companion bills, and if one goes down they all go down. It pertains to a school district in Allegheny County.

I would appreciate it if the Members would go along on these bills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adam,	Helm,	Miller,	Smith, W. B.,
Alexander,	Hersch,	Mills,	Snider,
Amarando,	Hewitt,	Monroe,	Spencer,
Andrews,	Hocker,	Moody,	Stank,
Banker,	Hoggard,	Moore,	Stevenson,
Barkdoll,	Ide,	Moran,	Stimmel,
Bazin,	Jenkins,	Moscrip,	Stone,
Bear,	Jim,	Muldowney,	Stoner,
Bomberger,	Johnson,	Munley,	Sucher,
Buchanan,	Jones, Geo. E.,	Murray, J. J.,	Taylor,
Capano,	Jones, Gran'le E.	Murray, P. G.,	Thomas,
Cianfrani,	Jones, Paul F.,	Musto,	Thompson,
Cioffi,	Jones, T. H. W.,	Naugle,	Toll,
Cochran,	Jump,	Needham,	Tompkins,
Comer,	Kamyk,	Ogilvie,	Toomey,
Conner,	Keller,	Olsen,	Varallo,
Cooper,	Kent,	Parlante,	Varner,
Coyle,	Kerlin,	Peifly,	VanSant,
Curwood,	Kline,	Peta,	Vaughan,
Dougherty,	Kohl,	Petrosky,	Verona,
Down,	Kolankiewicz,	Pettigrew,	Wall,
Erb,	Kornick,	Pfaff,	Wallace,
Ewing,	Kubacki,	Phillips,	Walsh,
Farabaugh,	Lafore,	Polaski,	Wargo,
Fenrich,	Lederer,	Polen,	Waterhouse,
Ferster,	Leisey,	Poltenstein,	Weidner,
Filo,	Leonard,	Price,	Welsh,

Flack,	Leven,	Quisenberry,	Wescott,
Floyd,	Limper,	Readinger,	Whalley,
Flynn,	Lippincott,	Reagan,	Wheeler,
Frost,	Lopresti,	Reidenbach,	White,
Geer,	Lutty,	Richter,	Willaredt,
Gibson,	Maguire,	Rosen,	Williams,
Gleason,	Markley,	Rovansek,	Wilt,
Glick,	Mathews,	Royer,	Wood,
Goodling,	Maxwell,	Rubin,	Worley,
Greenwood,	McCann,	Sarraf,	Yeakel,
Guss,	McCormack,	Schmidt,	Yetzer,
Gutendorf,	McCullough,	Schuster,	Young,
Guthrie,	McDermit,	Schwartz,	Zeitz,
Hamilton, R. K.,	McGee,	Scott,	Ziegler,
Hamilton, W. H.,	McWherter,	Seyler,	Smith, C. C.,
Harris,	Mihm,	Shoemaker,	Speaker
Haudenshield,	Mikula,	Shotwell,	

NAYS—25

Ashton,	Brown,	Dunn,	Lovett,
Auker,	Bullen,	Fleischman,	Mahan,
Baumunk,	Clapper,	Gramlich,	McInroy,
Blair,	Connelly,	Hall,	Metz,
Bolton,	Davis,	Kratz,	Ragot,
Breisch,	DuBois,	Kromer,	Strausser,
			Whitenight,

NOT VOTING—11

Boies,	Bower,	Bucchin,	Light,
Boory,	Breth,	Downey,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1539 as follows:

An Act to amend Subsections A and D of Section 10 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by authorizing Authorities to reject any or all bids on contracts validating the actions of Authorities and contracts heretofore awarded after the rejection of all the first set of bids and clarifying the effect of certain contracts heretofore or hereafter made by an Authority in violation of certain provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and D of Section 10 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalties counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" are hereby amended to read as follows

Section 10 Competition in Award of Contracts A All construction reconstruction repairs or work of any nature made by any Authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars ($500) except construction reconstruction repairs or work done by employes of said Authority or by labor supplied under agreement with any Federal or State agency with supplies and materials purchased as hereinafter provided shall be done only under contract or contracts to be entered into by the Authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids as hereinafter provided The Authority shall have the right to repect any or all bids No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract All such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

In all cases where an authority has heretofore rejected any or all bids without authority of law and has later awarded the contract to the lowest responsible bidder after again advertising for bids as provided by law such contracts are hereby ratified and made valid to the same extent as if such bids has been rejected and new bids advertised for and the contracts awarded after the effective date of this act

* * * * *

D No member of the Authority or officer or employe thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority but any such violation heretofore made shall not in any manner except as otherwise provided by law affect any contract or lease heretofore entered into between any Authority and a school district

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SAARAF. Mr. Speaker, I rise not to debate the bill but just to inform the Members of the House that this is one of the three bills, and irrespective of the sponsorship, they are good bills taking care of a school district. This is the third of the group. There is another which is now on second reading. I hope the vote can be the same and that they can be put through.

Mr. THOMAS. Mr. Speaker, I hope that the vote on the previous bill can be applied to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Goodling,	Maxwell,	Schuster,
Alexander,	Gramlich,	McCann,	Schwartz,
Amarando,	Greenwood,	McCormack,	Scott,
Andrews,	Guss,	McCullough,	Seyler,
Ashton,	Gutendorf,	McDermit,	Shoemaker,
Banker,	Guthrie,	McGee,	Shotwell,
Barkdoll,	Hall,	McInroy,	Smith, W. B.,
Baumunk,	Hamilton, R. K.,	McWherter,	Snider,
Bazin,	Hamilton, W. H.,	Metz,	Spencer,
Bear,	Harris,	Mihm,	Stank,
Blair,	Haudenshield,	Mikula,	Stevenson,
Boles,	Helm,	Miller,	Stimmel,
Bolton,	Hersch,	Mills,	Stone,
Bomberger,	Hewitt,	Monroe,	Stoner,
Boory,	Hocker,	Moody,	Sucher,
Bower,	Hoggard,	Moore,	Taylor,
Breisch,	Ide,	Moran,	Thomas,
Breth,	Jenkins,	Moscrip,	Thompson,
Brown,	Jim,	Muldowney,	Toll,
Bucchin,	Johnson,	Munley,	Tompkins,
Buchanan,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Bullen,	Jones, Granle E.	Murray, P. G.,	VanSant,
Capano,	Jones, Paul F.,	Musto,	Varallo,
Cianfrani,	Jones, T. H. W.,	Naugle,	Varner,
Cioffi,	Jump,	Needham,	Vaughan,
Clapper,	Kamyk,	Ogilvie,	Verona,
Cochran,	Keller,	Olsen,	Wall,
Comer,	Kent,	Parlante,	Wallace,
Connelly,	Kerlin,	Peifly,	Walsh,
Conner,	Kline,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pettigrew,	Weidner,
Curwood,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
Erb,	Lafore,	Poltenstein,	White,
Ewing,	Lederer,	Price,	Whitenight,
Farabaugh,	Leisey,	Quisenberry,	Willaredt,
Fenrich,	Leonard,	Ragot,	Williams,
Ferster,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reagan,	Wood,
Flack,	Limper,	Reidenbach,	Worley,
Fleischman,	Lippincott,	Richter,	Yeakel,
Floyd,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lutty,	Rovansek,	Young,
Frost,	Maguire,	Royer,	Zeitz,
Geer,	Mahan,	Rubin,	Ziegler,
Gibson,	Markley,	Sarraf,	Smith, C. C.,
Gleason,	Mathews,	Schmidt,	Speaker
Glick,			

NAYS—6

Auker,	DuBois,	Lovett,	Strausser,
Davis,	Dunn,		

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1568, as follows:

An Act to amend Section 5.1 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" by further providing for licensure of non-resident practitioners without further examination

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5.1 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" as added by the act approved the nineteenth day of June one thousand nine hundred fifty-three (P. L. Act No 62) is hereby amended to read as follows

Section 5.1 Licensing Out-of-State Practitioners The board may grant licenses without further examination to individuals from other states and provinces of the Dominion of Canada if (1) the standards for licensing in such states or provinces are substantially the same as those provided hereby (2) similar privileges are accorded persons licensed in this Commonwealth (3) the applicants holds valid licenses and (4) the applicable rules and regulations prescribed by the board are complied with

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARRAF. Mr. Speaker, this is a chiropractic bill, and the medical profession is one hundred percent for it if the Board of Chiropractics wishes to have this particular legislation passed.

It is evidently one of their own ideas, and we are glad to go along with them. Although I personally feel that it may be injurious, I am going to vote for the bill because the Board insists upon it and needs it.

I would ask the Membership to vote "aye" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gleason,	Markley,	Schmidt,
Alexander,	Glick,	Mathews,	Schuster,
Amarando,	Goodling,	Maxwell,	Schwartz,
Andrews,	Gramlich,	McCann,	Scott,
Ashton,	Greenwood,	McCormack	Seyler,
Auker,	Guss,	McCullough,	Shoemaker,
Banker,	Gutendorf,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Bear,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Harris,	Mihm,	Stevenson,
Boles,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Bomberger,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Strausser,
Bower,	Hocker,	Moody,	Sucher,
Breisch,	Hoggard,	Moore,	Taylor,
Breth,	Ide,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Toll,
Buchanan,	Johnson,	Munley,	Tompkins,

Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Gran'le E.	Murray, P. G.,	VanSant,
Cioffi,	Jones, Paul F.,	Musto,	Varallo,
Clapper,	Jones, T. H. W.,	Naugle,	Varner,
Cochran,	Jump,	Needham,	Vaughan,
Comer,	Kamyk,	Ogilvie,	Verona,
Connelly,	Keller,	Olsen,	Wall,
Conner,	Kent,	Parlante,	Wallace,
Cooper,	Kerlin,	Peifly,	Walsh,
Coyle,	Kline,	Peta,	Wargo,
Curwood,	Kohl,	Petrosky,	Waterhouse,
Davis,	Kolankiewicz,	Pettigrew,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,			Speaker

NAYS—1

Capano,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 40, as follows:

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by increasing the compensation of assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 661) is hereby further amended to read as follows

Section 505 Compensation of Assessor Each assessor hereafter elected shall be paid [seven] ten dollars for each day of eight hours and at the same rate for each hour of any greater or lesser period necessarily employed by him in the performance of his duties On or before the tenth day of each month succeeding any month in which the assessor has been employed one or more days in the performance of his duties the assessor shall file with the board a sworn statement of the days so employed indicating the particular days and the nature of the duties performed on each day The board shall make such examination of the statement as to it seems proper and shall allow or disallow any compensation claimed by the assessor within twenty days after receipt of such statement Any assessor who shall be aggrieved by the action of the board in allowing or disallowing any compensation claimed by him may appeal from the decision of the board to the court of common pleas of the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,

Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States.

On the question,

Will the House agree to the bill on third reading?

Mr. HELM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last two lines of Title, by striking out "by which employed immediately prior to entrance into" and inserting in lieu thereof: "after service in."

Amend Title, page 2, last line of Title, by inserting after "States" "and not heretofore covered."

Amend Sec. 1 (Sec. 1), page 3, line 15, by inserting after "America" "[in time of war or during a state of national emergency so proclaimed by the President of the United States or by action of Congress prior to the first day of September, one thousand nine hundred fifty-one]."

Amend Sec. 1 (Sec. 1), page 3, line 19, by inserting a bracket before and after "was" and inserting immediately thereafter: "is."

Amend Sec. 1 (Sec. 1), page 4, line 11, by inserting after "with" "[an additional amount equivalent to the amount of employer contributions otherwise required for a period equal to the period of such military service]."

Amend Sec. 1 (Sec. 1), page 4, line 17, by inserting after "such" "[monthly payroll deductions]."

Amend Sec. 1 (Sec. 1), page 5, line 12, by inserting after "request" "The provisions of this section shall apply whether (1) the employe was on leave of absence from school service during his service in the armed forces, or (2) had resigned therefrom before or at the time of entering service in the armed forces, or during such service."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 53, Printer's No. 17 and

Senate Bill No. 61, Printer's No. 193

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 62, as follows:

An Act to further amend subsection C of Section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments and limitations on loans and discounts of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of Section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations

employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 646) is hereby further amended to read as follows

Section 1210 Limitation upon Loans and Discounts

* * * * * *

C The limitations imposed by this section shall not apply to the following (1) investments authorized under Sections 1208 and 1209 of this act or (2) loans by a savings bank to any of its mortgage borrowers for repair alteration or improvement of the mortgaged real estate on the security of a note which is insured or to be insured by the Federal Housing Administrator pursurant to the provisions of Title I of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Apreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Suchei,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Granle E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 64, Printer's No. 19,

was passed over at the request of Mr. ANDREWS.

There being no objection,

Senate Bill No. 70, Printer's No. 175,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 85, entitled:

An Act to amend the act approved the twenty-first day of January one thousand and nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" by changing the conditions for expending appropriation for incidental expenses of the Senate.

On the question,

Will the House agree to the bill on third reading?

Mr. WARD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "Senate" "and making appropriations."

Amend Bill, page 3, by inserting between lines 17 and 18:

Section 2. The following sums or as much thereof as may be necessary are hereby appropriated from the General Fund to the Senate, for the purposes hereinafter set forth, for the balance of the legislative session of one thousand nine hundred fifty-three. Said sums shall be in addition to any sums heretofore appropriated to the Senate for any of said purposes:

For the payment of mileage of fifty Senators, Session of one thousand nine hundred fifty-three, the sum of two thousand five hundred dollars ($2,500).

For the payment of the incidental expenses of the Senate for the balance of the period of the Session of one thousand nine hundred fifty-three, such sum as may be necessary to be expended by the Chief Clerk of the Senate, who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts, the sum of two thousand dollars ($2,000) out of which amount such necessary extra labor in the Senate

shall be paid as shall be certified by the President pro tempore and Chief Clerk.

Amend Sec. 2, page 3, line 18, by striking out "2" and inserting in lieu thereof: "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 87, Printer's No. 28,

Senate Bill No. 207, Printer's No. 278, and

Senate Bill No. 236, Printer's No. 223,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 247, as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement further prescribing the power of the retirement board to provide minimum retirement allowances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section 6 and the last paragraph of section 12 of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" which was added by the act approved the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1398) are hereby amended to read as follows

Section 6 County Employes' Retirement Fund

* * * * *

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundred-twentieth (1/120) or one one-hundredth (1/100) class to the one [one-hundredth (1/100)] eightieth (1/80) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1/120) class or one one-hundredth (1/100) class as the case may be

Section 12 Superannuation Retirement Allowances

* * * * *

[Whenever] Wherever the board [shall] has by rule [authorize] authorized the members of the retirement system to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundredth (1/100) class and whenever the board shall hereafter by rule authorize the transfer to the one eightieth (1/80) class the county annuity shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1/120) rate or the one one-hundredth (1/100) rate as the case may be

(b) For service subsequent to the time of transfer to the time of retirement or to the time of a subsequent transfer at the [one one-hundredth (1/100)] rate applicable during such period

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1/120) rate bears to the total time of contribution and as the time he contributed at [the one one-hundredth (1/100) rate] any other rate herein provided for bears to the total time of contribution

Section 2 Section 15.1 of said act which was added by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1415) is hereby amended to read as follows

Section 15.1 Optional Minimum Allowances At any time the board by rule may be increasing the county annuity authorize the payment of a minimum annual retirement allowance of twelve hundred dollars payable monthly in the amount of one hundred dollars to every beneficiary who [has retired] shall thereafter retire for superannuation after twenty years' service as a county employe but no county annuity shall in any case exceed fifty per centum of the average salary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gleason,	Markley,	Schmidt,
Alexander,	Glick,	Mathews,	Schuster,
Amarando,	Goodling,	Maxwell,	Schwartz,
Andrews,	Gramlich,	McCann,	Scott,
Ashton,	Greenwood,	McCormack,	Seyler,
Auker,	Guss,	McCullough,	Shoemaker,
Banker,	Gutendorf,	McDermit,	Shotwell,
Baumunk,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Bear,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Harris,	Mihm,	Stevenson,
Boies,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Bomberger,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Strausser,
Bower,	Hocker,	Moody,	Sucher,
Breisch,	Hoggard,	Moore,	Taylor,
Breth,	Ide,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Toll,
Buchanan,	Johnson,	Munley,	Tompkins,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Paul F.,	Musto,	Varallo,
Cioffi,	Jones, T. H. W.,	Naugle,	Varner,
Clapper,	Jump,	Needham,	Vaughan,
Cochran,	Kamyk,	Ogilvie,	Verona,
Comer,	Keller,	Olsen,	Wall,
Connelly,	Kent,	Parlante,	Wallace,
Conner,	Kerlin,	Peifly,	Walsh,
Cooper,	Kline,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,

Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,			

NAYS—1

DuBois,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 326, Printer's No. 94

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 468, as follows:

An Act to amend Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the area in which school directors may attend certain meetings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as added by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2152) is hereby amended to read as follows

Section 516.1 Expenses for Attendance at Meetings of Educational or Financial Advantage to District [Expenses] When in the opinion of the board of school directors attendance of one or more of its members on any meeting held within the Commonwealth or within three hundred (300) miles of the boundary thereof (other than annual State and county conventions of school directors and meetings called by the county superintendent) will be of educational or financial advantage to the district it may authorize the attendance of one or more of its members at such meeting not exceeding two meetings in any one school year Each person so authorized to attend and attending shall be reimbursed for all expenses actually and necessarily incurred in going to attending and returning from the place of such meeting but not exceeding eight dollars ($8) per day together with mileage at the rate of six cents ($.06) for each mile in going to and returning from each meeting Such expenses shall be paid by the treasurer of the school district in the usual manner out of the funds of the district upon presentation of an itemized verified statement of such expenses

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

Adam,	Glick,	Markley,	Sarraf,
Alexander,	Goodling,	Mathews,	Schmidt,
Amarando,	Guthrie,	Maxwell,	Schwartz,
Ashton,	Hall,	McCann,	Scott,
Auker,	Hamilton, R. K.,	McCormack,	Seyler,
Banker,	Hamilton, W. H.,	McDermit,	Shoemaker,
Boory,	Harris,	McGee,	Shotwell,
Breisch,	Haudenshield,	McInroy,	Snider,
Brown,	Helm,	Mikula,	Spencer,
Bucchin,	Hersch,	Miller,	Stank,
Buchanan,	Hewitt,	Mills,	Stevenson,
Bullen,	Hoggard,	Monroe,	Stimmel,
Cianfrani,	Jim,	Moody,	Stone,
Cioffi,	Johnson,	Moore,	Thompson,
Clapper,	Jones, Geo. E.,	Moran,	Toll,
Comer,	Jones, Gran'le E.	Muldowney,	Toomey,
Connelly,	Jones, Paul F.,	Murray, J. J.,	VanSant,
Conner,	Jones, T. H. W.,	Musto,	Varallo,
Cooper,	Jump,	Naugle,	Vaughan,
Coyle,	Keller,	Needham,	Wallace,
Curwood,	Kent,	Ogilvie,	Walsh
Dougherty,	Kerlin,	Olsen,	Wargo,
Down,	Kline,	Parlante,	Waterhouse,
Downey,	Kohl,	Peta,	Weidner,
Dunn,	Kromer,	Petrosky,	Welsh,
Erb,	Kubacki,	Pettigrew,	Whalley,
Ewing,	Lafore,	Pfaff,	Wheeler,
Fenrich,	Lederer,	Polen,	Willaredt,
Ferster,	Leisey,	Poltenstein,	Williams,
Filo,	Leonard,	Price,	Wilt,
Flack,	Leven,	Quisenberry,	Wood,
Fleischman,	Limper,	Ragot,	Worley,
Floyd,	Lippincott,	Readinger,	Yeakel,
Flynn,	Lopresti,	Reagan,	Yetzer,
Frost,	Lovett,	Richter,	Young,
Geer,	Lutty,	Rovansek,	Zeitz,
Gibson,	Maguire,	Rubin,	Smith, C. C., Speaker

NAYS—26

Andrews,	Gramlich,	McCullough,	Strausser,
Bolton,	Guss,	McWherter,	Tompkins,
Capano,	Hocker,	Metz,	Wall,
Davis,	Ide,	Moscrip,	White,
DuBois,	Kolankiewicz,	Peifly,	Whitenight,
Farabaugh,	Kratz,	Stoner,	Ziegler,
Gleason,	Mahan,		

NOT VOTING—33

Barkdoll,	Breth,	Mihm,	Schuster,
Baumunk,	Cochran,	Munley,	Smith, W. B.,
Bazin,	Greenwood,	Murray, P. G.,	Sucher,
Bear,	Gutendorf,	Phillips,	Taylor,
Blair,	Jenkins,	Polaski,	Thomas,
Boles,	Kamyk,	Reidenbach,	Varner,
Bomberger,	Kornick,	Rosen,	Verona,
Bower,	Light,	Royer,	Watkins,
			Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 471, Printer's No. 160

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 531, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by

foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 203 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 203 Place of Business An association shall not hold any of the regular meetings of its directors grant any loans or transact any business except at [the] a place of business designated in its by-laws but the [collection of dues interest premiums and fines by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the] holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section Any association which prior to the first day of January one thousand nine hundred fifty-four had authorized any corporation or person to collect dues interest premiums and fines in any city borough or township in the Commonwealth other than a place of business of the association permitted by the act which this act amends may continue to collect dues interest premiums and fines in any such communities through any such corporations or persons and may appoint successors in their stead in any city borough or township in the Commonwealth In the event that [the] a place of business designated in the by-laws becomes unavailable the directors may specify another place within the same city borough or township as a temporary place of business

Section 2 Section 204 of said act as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 574) is hereby further amended to read as follows

Section 204 Branch Offices and Sub-Agencies [An] A Except as may otherwise be permitted by this act an association shall not establish maintain or operate either directly or indirectly any branch association branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the holding of the regular meetings of its directors the granting of any loans or the transaction of any part of its business but all of the business of such association shall be carried on solely and exclusively at its principal place of business [The collection of dues interest premiums and fines by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and] but the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

b Any association which prior to the first day of January one thousand nine hundred fifty-four had authorized any corporation or person to collect dues interest premiums and fines in any city borough or township in the Commonwealth other than a place of business of the association permitted by the act which act amends may continue to collect dues interest premiums and fines in any such communities through any such corporations or persons and may appoint successors in their stead in any city borough or township in the Commonwealth

C Any association may in the manner provided in this act for and amendment to its articles of incorporation or in pursuance of a plan of merger or consolidation in accordance with the provisions of Article X of this act establish a branch office within the corporate limits of the city borough or township in which its principal place of business is located It may also in the same manner establish a branch office in any other community within the county in which its principal place of business is located or in any place within any county contiguous to the county in which its principal place of business is located if the community in which such branch is to be established is without adequate savings and loan facilities or in the case of a merger or consolidation is without adequate savings and loan facilities other than an association which is a party to the plan of merger or consolidation Provided That no branch shall be established under the provisions of this subsection without the approval of the Department of Banking and the Building and Loan Board And Provided further That no such branch shall be established unless the association or the resulting association after a merger or consolidation has aggregate assets of at least one million dollars and aggregate reserves and undivided profits equal to at least five per centum thereof

D Articles of amendment of merger or of consolidation as the case may be the effect of which is to establish a branch shall be subject to all of the requirements prescribed by this act for articles of the same kind generally except that

(1) If the proposed branch is to be established in a county contiguous to the county in which the association's principal place of business is located

(a) Written notice of the intention to file such articles with the Department of State shall be given at least ten days prior to the day on which the articles are to be presented to the Department of State to every association which has its principal place of business in the county in which the proposed branch is to be located such notice to contain all of the statements which are required by this act to be set forth in the advertisement of intention to file articles of the particular kind with the Department of State

(b) The advertisement of intention to file such articles with the Department of State shall appear at least ten days prior to the day on which the articles are to be presented to the Department of State and shall also be inserted one time in a newspaper of general circulation in the county and community in which the proposed branch is to be located and one time in a legal newspaper published in the county in which the proposed branch is to be located and

(c) The advertisement shall set forth a statement that written notice of the intention to file articles with the Department of State has been given to every association which has its principal place of business in the county in which the proposed branch is to be located

(2) In the case of articles of amendment of merger or of consolidation as the case may be effect of which is to establish a branch the Department of Banking shall within sixty days after the receipt of the articles from the Department of State upon the basis of the facts disclosed by the investigation or hearing provided for by this act either approve or disapprove such articles The Department of Banking may in its sole discretion disapprove articles the effect of which is to establish a branch in a county contiguous to the county in which the principal place of business of the association is located if it shall appear as a result of the investigation or hearing provided for by this act that an association having its principal place of business in the county in which the proposed branch is to be located has in good faith notified the Department of Banking of its intention to establish a branch in accordance with the provisions of this act in

the same city borough or township in which such proposed branch is to be located

If the Department of Banking shall approve such articles it shall forward them to the Building and Loan Board for review The Building and Loan Board shall after such investigation or hearing as it may deem advisable either approve or disapprove the action of the Department of Banking and shall return the articles to the Department of Banking with notice of its decision and in the case of disapproval with a statement in detail of its reasons for doing so The decision of the Building and Loan Board shall be binding upon the Department of Banking

Immediately upon receipt of the articles from the Building and Loan Board the Department of Banking shall on the basis of the decision of the Building and Loan Board either approve or disapprove them in the same manner as is provided for by this act in the case of articles of the same kind generally

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GEER. Mr. Speaker, I would like to inquire about what this bill does and its effect? Is this the branch bill for Building and Loans?

The SPEAKER. Will the Chairman of the Banking and Building and Loan Committee answer the gentleman's question?

Mr. COOPER. In answer to the question from the gentleman from Allegheny, Mr. Geer, this is the branch bill for Building and Loan.

Mr. AUKER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Cooper.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. COOPER. I shall, Mr. Speaker.

Mr. AUKER. Does this bill have the approval of the league of Building and Loan Associations of Pennsylvania?

Mr. COOPER. It does, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quiscuberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeltz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Sarraf,	Speaker
Geer,	Mahan,		

NAYS—1

Tompkins,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 544, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to filling of vacancies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 315 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1332) is hereby further amended to read as follows

Section 315 Filling of Vacancies In case any vacancy shall occur in any board of school directors by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class or of the first class A be filled for the unexpired term by the court of common pleas of the county in which such school district is situated and in a school district of the second third or fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office [if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment At such election an eligible person shall be elected] for the remainder of the unexpired term If by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors within thirty (30) days after such vacancy shall have occurred the court of common pleas

of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term When any member of a board of school directors heretofore or hereafter enlists or is inducted into the military or naval forces of the United States in time of war a temporary vacancy shall be declared which shall be filled by the remaining members of the board or the court as the case may be until the return of such member of the board from the military or naval service or until the expiration of the term for which he shall have been elected whichever shall be the shorter period

Section 2 Sections 316 and 317 of the act as amended by the acts approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1139) and the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1332) are hereby further amended to read as follows

Section 316 Vacancies in Majority of Members In case vacancies occur whereby the offices of a majority of the members of any board of school directors other than the board of school directors of a school district of the first class or of the first class A becomes vacant such vacancies shall be filled by the court of common pleas of the county in which such school district is situated The persons selected to fill such vacancies shall hold their offices [if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election eligible persons shall be elected to fill] for the unexpired terms

Section 317 Vacancies in All Members If at any time vacancies exist or occur in the membership of all the members of any board of school directors in any school district other than a school district of the first class or of the first class A the court of common pleas of the county in which such district or the largest part in area thereof is located shall after ten (10) days from the time such vacancies exist or occur appoint [a board of properly qualified persons who shall serve if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election a board of school directors for such district shall be elected as herein provided in such manner that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding election in other school districts of the same class] a qualified person to fill each vacancy for the remainder of the unexpired term Whenever a vacancy of the entire membership of a board of school directors in any school district of the fourth class occurs the county superintendent of schools may enter and take full charge of and at the expense of the district maintain the schools thereof in accordance with the provisions of the school laws of the Commonwealth under the direction of the Superintendent of Public Instruction and may continue in charge thereof until a board of school directors has been appointed and has qualified

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adam,	Frost,	Maguire,	Rubin,
Alexander,	Geer,	Mahan,	Schmidt,
Amarando,	Gibson,	Markley,	Schuster,
Ashton,	Gleason,	Mathews,	Schwartz,
Auker,	Glick,	Maxwell,	Scott,
Banker,	Goodling,	McCormack,	Shoemaker,
Barkdoll,	Gramlich,	McCullough,	Shotwell,
Baumunk,	Greenwood,	McDermit,	Spencer,
Bazin,	Guss,	McGee,	Stevenson,
Bear,	Gutendorf,	McInroy,	Stimmel,
Blair,	Guthrie,	McWherter,	Stone,
Boles,	Hall,	Metz,	Stoner,
Bolton,	Hamilton, W. H.,	Mihm,	Strausser,
Bomberger,	Harris,	Mikula,	Sucher,
Boory,	Haudenshield,	Miller,	Taylor,
Bower,	Helm,	Mills,	Thomas,
Breisch,	Hersch,	Monroe,	Thompson,
Breth,	Hewitt,	Moody,	Toll,
Brown,	Hocker,	Moore,	Tompkins,
Bucchin,	Hoggard,	Moran,	Toomey,
Buchanan,	Ide,	Moscrip,	VanSant,
Bullen,	Jenkins,	Muldowney,	Varallo,
Capano,	Jim,	Munley,	Varner,
Cianfrani,	Johnson,	Murray, J. J.,	Vaughan,
Clapper,	Jones, Geo. E.,	Murray, P. G.,	Verona,
Cochran,	Jones, Gran'le E.	Musto,	Wall,
Comer,	Jones, Paul F.,	Naugle,	Wallace,
Connelly,	Jones, T. H. W.,	Needham,	Waterhouse,
Conner,	Jump,	Ogilvie,	Wargo,
Cooper,	Kamyk,	Olsen,	Weidner,
Coyle,	Keller,	Parlante,	Welsh,
Curwood,	Kent,	Peifly,	Wescott,
Davis,	Kerlin,	Peta,	Whalley,
Dougherty,	Kline,	Petrosky,	Wheeler,
Down,	Kohl,	Pettigrew,	White,
Downey,	Kolankiewicz,	Pfaff,	Whitenight,
DuBois,	Kornick,	Phillips,	Willaredt,
Dunn,	Kratz,	Polaski,	Williams,
Erb,	Kromer,	Polen,	Wilt,
Ewing,	Kubacki,	Poltenstein,	Wood,
Farabaugh,	Lafore,	Price,	Worley,
Fenrich,	Lederer,	Quisenberry,	Yeakel,
Ferster,	Leisey,	Ragot,	Yetzer,
Filo,	Leven,	Reagan,	Young,
Flack,	Light,	Reidenbach,	Zeitz,
Fleischman,	Limper,	Richter,	Ziegler,
Floyd,	Lippincott,	Rosen,	Smith, C. C., Speaker
Flynn,	Lutty,	Royer,	

NAYS—15

Andrews,	Lopresti,	Rovansek,	Snider,
Cioffi,	Lovett,	Sarraf,	Stank,
Hamilton, R. K.,	McCann,	Seyler,	Walsh
Leonard,	Readinger,	Smith, W. B.,	

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring powers and imposing duties on county boards of school directors providing for classes and schools for handicapped and for the payment for the cost of operation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 901 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1159) is hereby further amended to read as follows

Section 901 Annual Conventions and Special Meetings The school directors in every county having a county

superintendent of public schools shall annually be called together at the county-seat or some other suitable place within the county by the county superintendent of public schools The purpose of such annual conventions shall be the consideration and the discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties and such other business as may properly come before such conventions In addition hereto the county superintendent of public schools may call together the school directors within the county at the county-seat or some other suitable place within the county designated by the county superintendent of public schools when any emergency may exist or when in the opinion of the county superintendent of public schools a special meeting should be called for the consideration and discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools or their interests in their respective districts or counties and such other business as may properly come before said meeting

The convention shall have power at the annual convention or at any special meeting to pass on and approve activities and services and schools and classes for handicapped to be provided administered and supervised by the county board of school directors and to authorize the same by a majority vote of those present

Such action shall not be taken unless the secretary of each school board under the jurisdiction of the county superintendent has been advised at least forty (40) days previous to the convention or meeting at which such action is to be considered

Section 2 Section 925 of said act as last amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1546) is hereby further amended by adding at the end thereof two new clauses to read as follows

Section 925 Powers and Duties The county board of school directors in respect to school districts under the supervision of the county superintendent shall have power and its duty shall be

* * * * *

(16) To estimate and file with the Department of Public Instruction the cost of classes and schools for handicapped whenever such classes and schools are authorized on or before the first day of July of each year

(17) To employ temporary professional and professional employes supervisors and teachers and to employ all other persons necessary to carry on education and training for handicapped children and to determine the salaries to be paid All professional employes so employed shall have the same rights of membership in the Public School Employes' Retirement Association as professional employes of school districts

Section 3 Said act is hereby further amended by adding immediately following Section 2509 thereof a new section to read as follows

Section 2509.1 Payment on Account of Classes and Schools for Handicapped (a) Every county board shall be paid on the first day of August and the first day of January of each school year that classes and schools for handicapped children are conducted in equal installments the amount of estimated costs for the operation thereof Such payments shall be deducted from the reimbursements due the district of residence of each handicapped child attending such classes or schools Reimbursement on account of handicapped children shall be made to the district of residence even though such child attends classes or schools conducted by a county board of school directors

For each child who is blind deaf or afflicted with cerebral palsy attending such classes or school the county board shall be paid by the district of residence the sum of two hundred dollars ($200) and shall be paid by the Commonwealth out of moneys appropriated to the Department of Public Instruction the balance of the cost of education and training of such child which amount shall not exceed seventy-five per cent of the total cost of education of such child who is blind deaf or afflicted by cerebral palsy in a residence school for similar education

(b) Whenever children from districts under the supervision of a district superintendent attends classes or schools for handicapped conducted by a county board the county board shall be paid an amount equal to the charge per pupil made against such district which shall be deducted from the reimbursements due such district

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gleason,	Markley,	Schmidt,
Alexander,	Glick,	Mathews,	Schuster,
Amarando,	Goodling,	Maxwell,	Schwartz,
Andrews,	Gramlich,	McCann,	Scott,
Ashton,	Greenwood,	McCormack,	Seyler,
Auker,	Guss,	McCullough,	Shoemaker,
Banker,	Gutendorf,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Bear,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Harris,	Mihm,	Stevenson,
Boles,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Bomberger,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Strausser,
Bower,	Hocker,	Moody,	Sucher,
Breisch,	Hoggard,	Moore,	Taylor,
Breth,	Ide,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toll,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Paul F.,	Musto,	Varallo,
Cioffi,	Jones, T. H. W.,	Naugle,	Varner,
Clapper,	Jump,	Needham,	Vaughan,
Cochran,	Kamyk,	Ogilvie,	Verona,
Comer,	Keller,	Olsen,	Wall,
Connelly,	Kent,	Parlante,	Wallace,
Conner,	Kerlin,	Peifly,	Walsh,
Cooper,	Kline,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,			

NAYS—1

DuBois,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 571, as follows:

An Act to amend clause (2) of section 204 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the provisions relating to change of classification of school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (2) of section 204 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 204 Basis for and Change of Classification The last United States census as set forth in the official report thereof shall be the basis on which the population of the several school districts shall be computed A change from one class of school district to another shall be made in the following cases and in no other

* * * * *

(2) When a district which at a decennial census had sufficient population to entitle it to an advance to another class of district has since suffered a large decrease in population to entitle it to an advance to another class of district and has since increased in population a census of the district may be authorized by the board of school directors of the district and if it shall appear that said district has not the required population to remain in the class in which the same then is or if it shall appear that the district has sufficient population to entitle it to advance to another class of district the Superintendent of Public Instruction upon receipt of the facts disclosed by said census may issue his proclamation declaring such district to be of the class to which it properly belongs as disclosed by the census of the school board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 585, as follows:

An Act to amend clause (k) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (k) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Common-

wealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended to read as follows

Section 9 Powers of an Authority An Authority shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act including the following powers in addition to those herein otherwise granted

* * * * *

(k) To sell lease or otherwise transfer any real property located outside of a redevelopment area and subject to approval by the local governing body any redevelopment area either as an entirety to a single redeveloper or in parts to several redevelopers Provided That with respect to a redevelopment area the Authority finds that the sale lease or other transfer of any such part will not be prejudicial to the sale or lease of other parts of the redevelopment area nor be in any other way prejudicial to the realization of the redevelopment proposal approved by the governing body

Section 2 All proceedings heretofore had and held by any Redevelopment Authority to sell lease or otherwise transfer any of its real property located outside of a redevelopment area under the provisions of the act which this is an amendment and the acts amendatory thereof and supplementary thereto be and the same are hereby ratified confirmed and made valid

All of the deeds leases or other conveyances issued executed or made or to be issued executed or made in pursuance of such proceedings be and the same are hereby ratified confirmed and made valid and the title to such interest as may be thereby conveyed to any grantee lessee or other transferee be and the same is hereby ratified confirmed and made valid in such grantee lessee or other transferee

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, may I ask someone familiar with this bill to explain exactly what it does?

The SPEAKER. Does the gentleman from Centre desire to answer the gentleman's question?

Mr. FROST. Mr. Speaker, the reason I will try to reply to the gentleman is because this bill came from my committee, and it was the judgment of the committee that it was perfectly all right.

It is a validating act in which the Redevelopment Authority, which I believe took over the blighted area in the triangle section of Pittsburgh, if I am not correct on that particular location perhaps some one from Pittsburgh can correct me.

In the purchase by the Redevelopment Authority, in the purchase of the land they took more land than they actually bought. Then the development was taken over, or was sold by the Authority to a private interest, to an insurance company, which developed the real estate.

Now they find that that development, some of it, is on land that the Authority did not own, but had been deeded from the Authority to the insurance company.

I suppose it will be a question to get the titles straightened out with the particular owners, but where the Redevelopment Authority enters in, is in the nature of a quit claim deed. In other words they deeded something they did not own. Yet they must now give a quit claim deed for it.

I think it is perfectly all right. It passed the Senate forty-eight to nothing, if that means anything to the House. I think it is perfectly legitimate and perfectly all right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson,	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Goodling,	McCullough,	Shoemaker,
Auker,	Gramlich,	McDermit,	Shotwell,
Banker,	Greenwood,	McGee,	Smith, W. B.,
Barkdoll,	Guss,	McInroy,	Snider,
Baumunk,	Gutendorf,	McWherter,	Spencer,
Bazin,	Guthrie,	Metz,	Stank,
Bear,	Hall,	Mihm,	Stevenson,
Blair,	Hamilton, R. K.,	Mikula,	Stimmel,
Boles,	Hamilton, W. H.,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Bomberger,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hocker,	Moore,	Taylor,
Breisch,	Hoggard,	Moran,	Thomas,
Breth,	Ide,	Moscrip,	Thompson,
Brown,	Jenkins,	Muldowney,	Toll,
Bucchin,	Jim,	Munley,	Tompkins,
Buchanan,	Johnson,	Murray, J. J.,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kline,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C., Speaker
Frost,	Markley,	Schmidt,	

NAYS—3

Harris,	Haudenshield,	Lovett,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 632, as follows:

An Act authorizing minors to open and maintain bank accounts and fixing the rights and duties of minors the minors' parents or guardians and the depository bank with respect thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any minor may open and maintain a bank account in any bank bank and trust company national bank savings bank trust company or private bank and make deposits therein in his name and any such institution is authorized to accept such deposits and shall pay the same and any interest thereon to any such minor who is fourteen years or more of age without the assent of his parent or guardian and without any liability or obligation with respect thereto other than the ordinary liability or obligation to a depositor who is of full age All actions of any such minor with repsect to any such account the deposits therein or the withdrawals there from shall be binding upon such minor with like effect as if such minor were of full age The parent or guardian of such minor shall not in his capacity as parent or guardian have the power or right to attach or interfere in any other manner whatsoever with such account the deposits therein or the withdrawals therefrom except when the minor is under the age of fourteen years the parent or guardian shall have the right to give or withhold assent for withdrawals from the account

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GLICK. Mr. Speaker, I desire to interrogate the gentleman from Allegheny who has some information about this bill.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. COOPER. I shall, Mr. Speaker.

Mr. GLICK. Mr. Speaker, under the provisions of this bill with reference to minors who are fourteen years of age or more, does that mean for the purposes of this type of legislation that minors over fourteen are emancipated?

Mr. COOPER. Mr. Speaker, I do not quite understand what the gentleman means by emancipated?

Mr. GLICK. Just for clarification, emancipation would be more or less of a technical term, meaning that they are free from the custody and control of their parents.

Mr. COOPER. The only provision this bill has is that minors over the age of fourteen may open bank accounts with banks and have specific control of those accounts for themselves.

Mr. GLICK One further question, Mr. Speaker, does that in any way affect the contractual obligations and duties of minors, or does it in any way alter the contractual laws that exist today.

Mr. COOPER. It pertains only to the bank accounts which exist in the minor's name with the bank.

Mr. GLICK. Mr. Speaker, I thank the gentleman.

Mr. READINGER. Mr. Speaker, I suggest that under this bill you could now borrow the money from your kids instead of from the bank.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Ashton,	Goodling,	McCann,	Seyler,
Auker,	Gramlich,	McCormack,	Shoemaker,
Banker,	Greenwood,	McCullough,	Shotwell,
Barkdoll,	Guss,	McDermit,	Smith, W. B.,
Baumunk,	Gutendorf,	McGee,	Snider,
Bazin,	Guthrie,	McInroy,	Spencer,
Bear,	Hall,	McWherter,	Stank,
Blair,	Hamilton, R. K.,	Metz,	Stevenson,
Boles,	Hamilton, W. H.,	Mihm,	Stimmel,
Bolton,	Harris,	Mikula,	Stone,
Bomberger,	Haudenshield,	Miller,	Stoner,
Boory,	Helm,	Mills,	Strausser,
Bower,	Hersch,	Monroe,	Sucher,
Breisch,	Hewitt,	Moody,	Taylor,
Breth,	Hocker,	Moore,	Thomas,
Brown,	Hoggard,	Moran,	Thompson,
Bucchin,	Ide,	Moscrip,	Toll,
Buchanan,	Jenkins,	Muldowney,	Tompkins,
Bullen,	Jim,	Munley,	Toomey,
Capano,	Johnson,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cioffi,	Jones, Gran'le E.,	Musto,	Varner,
Clapper,	Jones, Paul F.,	Naugle,	Vaughan,
Cochran,	Jones, T. H. W.,	Needham,	Verona,
Comer,	Jump,	Ogilvie,	Wall,
Connelly,	Kamyk,	Olsen,	Wallace,
Conner,	Keller,	Parlante,	Walsh,
Cooper,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Curwood,	Kline,	Petrosky,	Weidner,
Davis,	Kohl,	Pettigrew,	Welsh,
Dougherty,	Kolankiewicz,	Pfaff,	Wescott,
Down,	Kornick,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Farabaugh,	Leisey,	Ragot,	Wilt,
Fenrich,	Leonard,	Readinger,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Filo,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Floyd,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lutty,	Royer,	Ziegler,
Frost,	Maguire,	Rubin,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—3

Andrews,	Lovett,	Sarraf,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 634, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to steal or to purchase or receive for use as junk or scrap metal any veteran's grave marker or emblem and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after Section 814 a new section to read as follows

Section 814.1 Larceny of Veterans' Grave Markers Whoever steals or attempts to steal any veteran's grave marker or emblem is guilty of larceny a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both

Section 2 Said act is hereby amended by adding after Section 879 a new section to read as follows

Section 879.1 Purchase of Veteran's Grave Marker for Junk Whoever buys or receives for use as junk or scrap metal any veteran's grave marker or emblem is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan.	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 669, Printer's No. 324,
Senate Bill No. 670, Printer's No. 325,
Senate Bill No. 671, Printer's No. 342,
Senate Bill No. 672, Printer's No. 326,
Senate Bill No. 673, Printer's No. 329,
Senate Bill No. 674, Printer's No. 338,
Senate Bill No. 675, Printer's No. 331,
Senate Bill No. 676, Printer's No. 332,
Senate Bill No. 677, Printer's No. 333 and
Senate Bill No. 686, Printer's No. 339

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

The SPEAKER. Without objection, the Chair will return to page 8 of today's calendar, bills on final passage. The Chair hears none.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 168 as follows:

An Act to further amend the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the Pennsylvania Board of Parole, conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into Administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further regulating the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 21 of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive

system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1401) is hereby further amended to read as follows

Section 21 The board is hereby authorized and its duty shall be to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment [whenever in its opinion the best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby the power to parole herein granted to the board of parole may not be exercised in the board's discretion at any time before but only] or twice before convicted and sentenced for any offense or who have been parole violators after the expiration of the minimum term of imprisonment fixed by the court in its sentence [or by the Pardon Board in a sentence which has been reduced by commutation provided however that] if such convict has a good institutional record and may in its discretion exercise the power to release on parole after the expiration of the minimum term of imprisonment fixed by the Pardon Board in a sentence which has been reduced by commutation if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby

Section 2 The first paragraph of Section 22 of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 22 The board shall have the power subject to the provisions and limitations set forth in section twenty-one to grant paroles of its own motion whenever in its judgment the interests of justice require the granting of the same In addition thereto the board shall have the power and it shall be its duty to consider applications for parole by a prisoner or by his attorney relatives or friends or by any person properly interested in the matter Hearings of applications shall be held by the board whenever in its judgment hearings are necessary Reasonable rules and regulations shall be adopted by the board for the presentation and hearing of applications for parole Provided [however] That sponsors shall not be required as a condition to paroles And provided further That whenever any prisoner is paroled by the board whether of its own motion or after hearing of an application therefor or whenever an application for parole is refused by the board a brief statement of the reasons for the board's action shall be filed of record in the offices of the board and shall be at all reasonable times open to public inspection in no case shall a parole be granted or an application for parole be dismissed unless a district supervisor shall have seen and heard him in person in regard thereto within six months prior to the granting or dismissal thereof Application shall be disposed of by the board within six months of the filing thereof Except in cases where the tation the board shall initially act on the application if Pardon Board has reduced a minimum term by commutation the board shall initially act on the application if possible before the expiration of the minimum term so fixed and in no case more than thirty days thereafter

Section 3 Section 9 of the act approved the tenth day of May one thousand nine hundred nine (P. L. 495) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole" is hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOLL. Mr. Speaker, In connection with this bill I want to call the attention of the House to opposition which has come in from several organizations which have been concerned for many years with the problem of the discharge of prisoners and their rehabilitation.

Although this bill has sponsorship on both sides, I feel that the view of these organizations should be presented before a vote is taken.

First, I want to call your attention to this pamphlet which is frequently deposited in your post office boxes called "Social Legislation" and is published by the Pennsylvania Citizens Association for Health and welfare.

In the issue of June 27th, the bill is referred to as a bill which provides that, "The Board shall release on parole"—that is the Parole Board—"at the expiration of the minimum sentence any such convicts who have had a good institutional record."

The editor of this pamphlet refers to this as an "amendment which drastically reduces the authority and discretion presently exercised by the Parole Board."

In the same connection, I call your attention to a letter from the Pennsylvania Prison Society, which operates largely from the eastern part of Pennsylvania, in which the Secretary, Edmund G. Burbank, writes on June 19th when the original bill was on the calendar in this state, with the exception of the amendment which was made the other day, that in his observation after a careful reading of the bill, "it represents a basic difference from the philosophy of the Gordon Commission in 1938 whose comprehensive and profound thinking is at the basis of the present parole law."

I am not going to read the entire letter. I am going to offer these letters for the record, but I just want to read a line or two to show you the thought that he had in mind.

> "I would hope that such a fundamental shift from prevailing thought and practice would be made only after a commission's investigations and state-wide hearings."

He is referring at the bottom of the letter to the nine

Devers bills which were just passed over by the Speaker, Senate Bill Nos. 669 to 677.

He said in this letter:

"It would be unwise to tear down the state parole system by leaving the decision to release on parole to individual institutions. It seems to me a further irony that this decentralizing move is made at the same time the Senate is considering legislation to centralize the administration in accordance with the recommendations of the Devers report."

The Devers Report Senate Bills 669 to 677, were passed by the Senate practically unanimously and are now on third reading which were passed over, I guess, until tomorrow.

I also have here a letter dated June 22, 1953, from Ralph C. Busser, one of the outstanding criminologists in the state of Pennsylvania who says:

"My opposition is based on the philosophy behind this bill, which would limit the power of the Parole Board and put the Warden and his staff in a position to determine a man's parole ability.

I am firmly of the belief that centralization is essential. . . . To strip the Board of these powers as the bill proposes would, in my opinion be a step backwards."

I am not going to read a long letter which is dated June 29th addressed to the Honorable Paul F. Jones and signed by Leon T. Stern, Director of the Philadelphia Advisory Commission on Commitments, Detention and Discharge of Prisoners.

This bill was recently amended to apply only to first offenders and not second and third offenders.

I have a letter dated July 10th which is directed to the last amendment and which calls attention to the fact that 50 percent of the men in state prisons are first offenders, and, Mr. Stern is still opposed to the bill because he feels it is a step backward and would seriously cripple the spendid Pennsylvania state parole service which is cited throughout the country as an example of what a parole service should be.

I am going to ask the Speaker if he will permit that a letter dated June 19th, 1953, a letter dated June 22nd, 1953, and a letter dated June 29th, 1953, and a letter dated July 10th, 1953, be spread upon the record, otherwise I will be obliged to read them.

The SPEAKER. Without objection, the gentleman's remarks will be extended upon the record. The Chair hears none.

(Extended remarks of Mr Toll).

June 19, 1953

Hon. Herman Toll
1420 Walnut Street
Philadelphia 2, Pa

Dear Mr. Toll:

My attention has been drawn to House Bill 168 introduced by Mr. Vaughan, February 9, 1953 and amended by Mr. Paul F. Jones. June 9, 1953, Printer's Number 370.

It is my observation after careful reading of the bill that it represents a basic difference from the philosophy of the Gordon Commission of 1938 whose comprehensive and profound thinking is at the basis of the present parole law. Section 21, lines 12 to 19 on page 4 and lines 1 through 10 on page 5 of House Bill 168 illustrates this difference. It seems to me that this legislation requires the Parole Board to release a man from prison at the expiration of his minimum term if "such a convict has a good institutional record." It is common knowledge that a man who is a menace to himself and the Commonwealth is ofttimes prison-wise and maintains a good institutional record. As I read the proposed legislation, it leaves the final judgment on a man's parole ability to the warden and his staff. Now it may be that's what Pennsylvania wants. But I would hope that such a fundamental shift from prevailing thought and parctice would be made only after a commission's investigation and statewide hearings.

It seems ironic to me that parole, the last phase of the whole correctional process, is the sole phase yet on a statewide, uniform basis. It is the belief of Prison Society that much of the discontent with parole is a direct result of failure to integrate the other parts of the correctional system by introducing a modern correctional program in every institution in the state. It would be unwise to tear down the state parole system by leaving the decision to release on parole to individual institutions. It seems to me a further irony that this decentralizing move is made at the same time the Senate is considering legislation to centralize the administration in accordance with the recommendations of the Devers Report.

You are already familiar with my opposition to the provision on page 7, lines 14 and 15 eliminating the sponsorship requirement, for I was granted the courtesy of a hearing before the Judiciary Committee and I spoke to that point.

I bring this matter to your attention, Sir, in the hope that you and your colleagues will wish to reconsider very carefully the wisdom of this piece of legislation.

Very sincerely yours.

EDMUND G BURBANK,
Executive Secretary
The Pennsylvania Prison Society

EGB/mls
cc: Representatives J. J. Vaughan and Paul F. Jones

June 22, 1953.

Hon. Herman Toll
1420 Walnut Street
Philadelphia 2, Pa.

Dear Mr. Toll:

I am opposed to House Bill 168 which was introduced by Mr. Vaughan February 9, 1953, and amended by Mr. Jones June 9, 1953, Printer's Nunber 370.

My opposition is based on the philosophy behind this bill, which would limit the power of the Parole Board and put the Warden and his staff in a position to determine a man's parole ability.

This decentralization move is completely at odds with the centralization program proposed by the Devers Committee and implemented by nine bills introduced within the last ten days into the Senate.

I am firmly of the belief that centralization is essential if we are to have a sound penal administration in Pennsylvania. A vital part of such administration is the Parole Board with the powers it now has. To strip the Board of these powers as the bill proposes, would in my opinion be a step backward.

Your interest in this vital problem will be very much appreciated.

Very truly yours,

RALPH C. BUSSER, JR.

CB/w
cc to Hon. J. J. Vaughan
cc to Hon. Paul P. Jones

June 22, 1953.

Hon. Paul F. Jones, Representative
Pennsylvania Houes of Representatives
Harrisburg, Pennsylvania

My dear Representative Jones:

I am writing to you in reference to the House Bill No. 168, Printers No. 370, introduced by Mr. John J. Vaughan. Those of us who have been long conversant with the parole field feel it is an undesirable and unnecessary measure. I wrote to you as one who has participated in many changes which have occurred in the parole set-up of Pennsylvania. This connection goes as far back as 1928, when I made a report on parole for the Parole Commission appointed by the General Assembly and headed by Charles Edward Fox of Philadelphia. I also made a study for the parole Commission headed by Attorney General Margiotti in Governor Earle's administration and testified before the Commission headed by Judge James Gay Gordon of Philadelphia in the next year. As a result of the activities in the years 1928 to 1941, the Pennsylvania Board of Parole was finally established.

As a result of the recommendations of the two Commissions of 1941, an independent parole board was established, free of all entanglements, and with power to set up a state parole system honestly and impartially. The new system has maintained a relationship between the institutions and the paroling authorities and has also conducted a helpful liaisson with the Pardon Board in the commutation of sentences.

May I draw your attention to the fact that the Parole Board is bound by the act of 1913 which forbids holding a man in prison for want of a sponsor. The act provides as follows: "Section 1. From and after the passage of this act, no prisoner, who has been sentenced to a minimum and maximum imprisonment after such prisoner has served the minimum sentence, shall be detained in any penal institution because of the inability of such prisoner to procure a sponsor who shall be satisfactory to the board of inspectors or trustees of such penal institution; and that, in any case in which such prisoner shall be unable to secure such satisfactory sponsor, the board of inspectors or trustees of such penal institution may procure a sponsor for such a prisoner, or may require reports from such parole prisoner in lieu of a sponsor, as the board of inspectors or trustees may see proper. Section 2. All acts or parts of acts inconsistent herewith are hereby repealed."—Act of May 28, 1913, P. L. 363.

When the Parole Board was established in 1942, this act was not repealed and therefore it is binding upon the Parole Board which inherited the responsibilities of the Boards of Prison Inspectors and trustees of the penal institutions. No prisoner can be retained in prison for lack of a sponsor.

Sponsors, which are often appointed, are citizen guides in helping the parolee to make contacts in the community. They are found either by the individual prospective parolee, by the Parole Board, or by private organizations. They are most helpful in the rehabilitation of individuals. Their action and appointment is purely voluntary. They aid the parole officers and help men find homes and get jobs for men.

The fine record of the Parole Board in its investigatory work in getting information about the offenders background, his previous crime record, his experience not only in the institution in which he was last incarcerated, but his behavior in other institutions where he may have been an inmate, gives a valuable composite picture to be used for the protection of the citizens of Pennsylvania. We need only to turn to the reports of the Parole Board which show us a low rate of recidivism of repetition of offenses by men on parole to understand the value of the splendid work of the Pennsylvania Board of Parole.

We know that the State Assembly is a thoughtful body of citizens who wish to consider all aspects of this problem and not take action that will seriously effect not only the parolees released from prison, but all the citizens of the State. For it is a striking fact that every prison empties itself in ten years and that most of the men released from these prisons are on parole. That means that parole plays a universal part in our administration of crimmal justice and that the power of parole should be in the hands of a group of the highest standing of the highest caliber.

I hope very much indeed, that you will agree with this point of view and oppose the placing of parole in the hands of the wardens and their staffs who do not have the responsibility to the rest of us which the Parole Board has been given by citizens directly and has so ably carried out.

Sincerely,

LEON T. STERN, Director

LTS:dap
cc: Mr. Toll
Major Hill
Mr. Burbank

Same letter was sent to Albert A Readinger, Representative.

July 10, 1953.

Herman Toll, Esq.
Representative, Pa. State Legislature
1420 Walnut Street
Philadelphia, Pa.

My dear Mr. Toll:

I understand that the bill concerning parole is being amended to provide that first offender may be released on his minimum based on his record in the institution. I think this would be very bad indeed.

The whole conception of parole is that the Parole Service should not be hampered in its work by having any one group get preference. If first offenders are given preference, that means many offenders will be released without the investigational work and consideration of the Parole Board. Many first offenders indeed require much more attention than some repeaters that have often been bad actors and undesirable citizens. Fifty per cent of the men in State Prison are first offenders.

The fact that a man is a first offender, therefore, does not mean that the Parole Board should not exercise its prerogative of studying the case before liberation. The institution judgment should not be the sole judgment. There are many other factors besides conformity to institutional rules that should go into the consideration. There are the questions of the man's personality, his mental makeup, the sort of home he has, and his ability to work in the community, and his associates.

A man does not make himself fit for return in the community by automatically serving a portion of his sentence as would be the case if he were released at his minimum. The effect of the prison experience of a man should be a matter of judgment based on study and investigation, not only by the institutional authorities, who usually do not have the staff for the purpose, but by the Parole Board which employes seasoned experts and investigators to judge the eligibility and always considers institutional record.

We have long discarded the idea that a man should be released on his minimum and on his institutional record alone. We have minimum and maximum sentences because we never know when a man is ready for release until we consider all factors. I am sure this would be a step backward and would seriously cripple the splended Pennsylvania State Parole Service which is cited throughout the country as an example of what a parole service should be.

I am enclosing three copies of this letter for you to use for Mr. Jones, Mr. Vaughan and Mr. Readinger.

Sincerely yours,

LEON T. STERN, Director
Philadelphia Advisory Commission
On Commitment Detention and
Discharge of Prisoners

LTS: dap

Mr. TOLL. Mr. Speaker, therefore, in view of the summary which I gave you as to the views of these gentlemen who are concerned with the parole system, you are asked to follow the suggestions of the Bureaus and Commissions and vote against the bill.

Mr. PAUL F. JONES. Mr. Speaker, House Bill 168 presents a very simple proposition. I think it is significant at the outset to state to you that there has been a minimum of opposition to this bill which has been brought to my attention.

My colleague from Philadelphia, Mr. Toll, has read into the record certain communications which have come to him. I might say to you frankly it is my opinion they came to him because there exists in the City of Philadelphia a community fund sponsored agency that has for its program the sponsorship of men who have been released from this institution, and who fear that the passage of this bill might reduce somewhat the importance of that particular organization, that situation is not necessarily true.

The bill simply does this. A sentencing judge gives a prisoner a term of from three to six years for a particular offense. That means that if that man enters the institution, obeys the laws, violates none of the rules of the institution, satisfies the authorities in that institution that he has made a successful adjustment, that man, as a matter of record and in accordance with the opinion of the sentencing judge, has the right after he has served his minimum to be released on parole.

Mr. Toll seems to suggest that the moment a man enters an institution he automatically comes under the supervision of the Parole Board. This is not the case at all. The only time the Parole Board or the parole authorities come into the question or have anything to do with the release of an inmate of an institution is after his release. They do not set up any rules that he must follow in the institution. They do not supervise his rehabilitation while there. The only time they come under the supervision of the Parole Board is after their release.

The judges of Allegheny County have asked us to reconsider this bill. If you will remember, it was out once with just the provision of doing away with sponsorship. The bill in its present form now retains sponsorship if they can be found.

A man who has a good record, if he cannot obtain a sponsor, there is no reason why he should be kept in the institution. We want him released: we want him to come under the supervision of the Parole Board so that they can determine whether or not that man has made the adjustment and whether or not he has the supervision on the outside that he could not get from the Parole Board while he was in the institution.

We permitted the bill to remain on the calendar for many, many days in an effort to satisfy all opposition, and I was afraid there might be some suspicion raised in somebody's mind that there was something drastically wrong with this bill.

It is very simple, fundamental proposition. We put a man in jail because he has violated the law. That is the reason he is there. This bill says to him, "All right, after you are in the institution, if you make an adjustment, if you obey the rules of the institution, if you become a model prisoner after you have served your minimum, you are permitted to come out, after which time you will be under the supervision of our Parole Board." There is nothing wrong with that.

On the other hand, the opposition seems to suggest that by keeping a man there longer, that in itself is the answer to the problem. This does not answer the problem. Remaining in the institution does not do him any good. The parole authorities have no supervision over him while he is there. They can only supervise a man after he is released.

What we are trying to do here very, very simply is to reward those prisoners who do effect a rehabilitation and have demonstrated that they are able to return to a productive life on the outside. We say to them that if they cannot find a sponsor, the state parole system gives them a sponsor in the nature of the parole officer to whom they are answerable. "If you have another friend who is willing to sponsor you, willing to give you a job, well and good; but if you have been a good prisoner, if you have obeyed the laws of the institution, if you have made your adjustment, the judge wants you out in three years."

If that is not the intent of the judge, the court of original jurisdiction so to speak, all the judge has to do is to say to the man, not three to six, but six years flat, and he would stay there.

The situation is not as Mr. Toll suggests. I have pointed out to you before, and for the sake of emphasis I want to repeat it, the only time that an inmate comes under the supervision of the parole authorities is after his release.

What happens to a man who gets six years flat? He does not come under the supervision of anybody. The parole authorities have no interest in him at all, but the man who has been a model prisoner has to stay there whether or no until the Parole Board finds him a sponsor and decides that he is to be let out.

I say to you, in view of the things that have happened in our institutions this will demonstrate to the men who have been confined there that in the judgment of the Members of the Legislature we are putting a premium on those men who make an honest effort to rehabilitate themselves who while confined to the institution, obeyed the rules and who have been model prisoners. We say to them that as a matter of right you are entitled to get out after you have done your minimum.

I ask you ladies and gentlemen to vote for this bill. It is a constructive piece of legislature. Criticism on it has been at a minimum. It represents the sober thought of our judges in Allegheny County. Unlike Philadelphia, we do not have a community sponsored organization over there that will furnish sponsorship to these inmates as they are released from the institution. We have to go out and beg for them.

I can say to you, if you will pardon the personal reference as I said in our Committee, when I fail to find a sponsor for a man that I have represented and been responsible in a measure for his being in an institution, there have been numerous instances where I have served as his sponsor myself and I am still serving. I say to you that if that man had not convinced the institution, the authorities there who supervised him day to day during

the period of his confinement, if they had said that that man was not ready to come out, he in all probability would have had a record there that would have been so bad that the Parole Board would not pass on it. That is the same situation here in this bill. If a man does not have a good institutional record, he is not entitled to be released.

Now for the second offenders we put that in. We might have a fellow who by character and by inherent nature is just a criminal and ought to stay in the institution for the proteceion of society. He cannot get out if he has been a previous violator and if he has been a second offender. All of that was taken into consideration by the judge when he put him there. If the judge wanted him to do from three to six years, I think we ought to leave the door open so that when he has done those three years, has built up a record there, has made the adjustment, as a matter of right he ought to be entitled to his freedom.

I ask you to go along and vote for this bill.

Mr. TOMPKINS. Mr. Speaker. I merely rise to concur in the remarks of the gentleman from Allegheny, Mr. Jones. Also to advise the House that a public hearing was had on this bill.

The work of the various organizations in Philadelphia is very commendable. This bill in no way is in derogation of the good work they have done and which they are doing.

It is found however, in certain areas of the state to which they do not reach their services. I certainly want to concur with Mr. Jones, that if a man has rehabilitated himself, I cannot see any good reason why he should continue to be retained in the penitentiary just because he cannot find a sponsor.

By inference the Devers report indicates that some of the troubles that arose in our prison riots came from men who were in institutions, who were unable to find sponsors, and who are still retained in the penitentiary for that reason.

Therefore I think this is a good bill, a good humanitarian bill for those who have rehabilitated themselves.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Geer,	Mahan,	Schmidt,
Alexander,	Gibson,	Markley,	Schuster,
Amarando,	Gleason,	Mathews,	Schwartz,
Andrews,	Glick,	Maxwell,	Scott,
Ashton,	Goodling,	McCann,	Seyler,
Auker,	Gramlich,	McCullough,	Shoemaker,
Banker,	Greenwood,	McDermit,	Shotwell,
Barkdoll,	Guss,	McGee,	Smith, W. B.,
Baumunk,	Gutendorf,	McInroy,	Snider,
Bazin,	Guthrie,	McWherter,	Spencer,
Bear,	Hall,	Metz,	Stank,
Blair,	Hamilton, R. K.,	Mihm,	Stevenson,
Boles,	Hamilton, W. H.,	Mikula,	Stimmel,
Bolton,	Harris,	Miller,	Stone,
Bomberger,	Haudenshield,	Mills,	Stoner,
Boory,	Helm,	Monroe,	Strausser,
Bower,	Hersch,	Moody,	Sucher,
Breisch,	Hewitt,	Moore,	Taylor,
Breth,	Hocker,	Moran,	Thomas,
Brown,	Hoggard,	Moscrip,	Thompson,
Bucchin,	Ide,	Muldowney,	Tompkins,
Buchanan,	Jenkins,	Munley,	Toomey,
Bullen,	Jim,	Murray, J. J.,	VanSant,
Capano,	Johnson,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Geo. E.,	Musto,	Varner,
Cioffi,	Jones, Granle E.	Naugle,	Vaughan,
Clapper,	Jones, Paul F.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Wescott,
Dougherty,	Kolankiewicz,	Pfaff,	Whalley,
Down,	Kornick,	Phillips,	Wheeler,
Downey,	Kratz,	Polaski,	White,
DuBois,	Kromer,	Polen,	Whitenight,
Dunn,	Kubacki,	Poltenstein,	Willaredt,
Erb,	Lafore,	Price,	Williams,
Ewing,	Lederer,	Quisenberry,	Wilt,
Farabaugh,	Leisey,	Readinger,	Wood,
Fenrich,	Leonard,	Reagan,	Worley,
Ferster,	Leven,	Reidenbach,	Yeakel,
Filo,	Light,	Richter,	Yetzer,
Flack,	Limper,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. O., Speaker
Frost,	Maguire,	Sarraf,	

NAYS—7

Davis,	Lippincott,	Ragot,	Welsh,
Jones, T. H. W.,	McCormack,	Toll,	

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affrmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

The SPEAKER. Without objection, the Chair will turn to page 17 of today's calendar, bills on third reading. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1276, entitled:

An Act to amend Section 12 of the act, approved the second day of June, one thousand eight hundred seventy-one (P. L. 1301), entitled "An act to establish and maintain for the city of Philadelphia, a house of correction, employment and reformation for adults and minors," by authorizing judges or magistrates to discharge inmates whom they have committed.

On the question,

Will the House agree to the bill on third reading?

Mr. WHITE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 12), page 2, line 17, by adding after "inmate" "at anytime after the expiration of seventy-two hours from the time of committment."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

Mr. HELM asked and obtained permission for the Committee on Education to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 110.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

House Bill No. 290.

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

House Bill No. 310.

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Court of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

House Bill No. 651.

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisidiction on certain courts over rates," by providing for increase in member and change in term of members of Authority Boards.

House Bill No. 780.

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers.

House Bill No. 791.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts.

House Bill No. 1126.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

House Bill No. 1159.

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of County Boards of School Directors

House Bill No. 1210.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres, more or less, of land, situate in the City of Erie, Erie County, Pennsylvania.

House Bill No. 1267.

An Act to further amend subsection (C) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by increasing the medium amount of interest and charges on loans.

House Bill No. 1294.

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Deparement of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

House Bill No. 1415.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

Senate Bill No. 83.

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

Senate Bill No. 360.

An Act to further amend section two hundred forty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for additional complimentary fishing licenses

Senate Bill No. 616.

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres more or less situate in Skippack Township Montgomery County Pennsylvania with the approval of the Governor

Senate Bill No. 618.

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

Senatet Bill No. 659.

An Act to amend Sections 506 and 509 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 69) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that writ of certiorari shall not be a supersedeas unless bond is filed and clarifying provisions as to require lapse of time before the issuance of notice of forcible ejectment.

Whereupon, The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence: Nos. 14, 321, 454, 578, 598, 599, 650, 661, 696, 722, 752, 753, 772, and 776.

PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, from today's Evening News I would like to read an article as follows:

DOG LICENSING DRIVE STALLED.

WILLIAMSPORT—Dog owners are enjoying a respite from the long arm of the law that reached temporarily all the way from Harrisburg.

Several weeks ago the state sent four dog law investigators, headed by Fred Kehrli, into the county to check on dog licensing.

They reported that Lycoming County had approxi-

mately 9,000 dogs, 7,000 of which were not licensed. Then the trouble started.

Several hundred summonses were issued and many persons were fined for not obtaining dog licenses. The county treasurer's office at Williamsport looked like a land office as owners sought licenses.

Yesterday 35 hearings were scheduled before Alderman Richard H Merrell. When the state agents failed to appear, charges were dismissed.

Alderman Merrell said he would not hear cases scheduled for today or tomorrow, ending, for a while at least, the dog drive in this area.

What I want to bring out are the inequities of law enforcement throughout the state of Pennsylvania.

In Allegheny County a week, or maybe two weeks after the dog licensing law was in effect, these men came from throughout the various districts and boroughs, and I tell you those who did not have licenses were fined.

While in this article here, I think those men should be censured for not appearing before the magistrate. In my county and in my district they do appear before the magistrate, and those that violate the law are fined.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ROYER asked and obtained permission for the Committee on Highways to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. GIBSON from the Committee on Education, reported as committed, House Bill No. 807, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the law relating thereto," by clarifying the provisions for payments by the Commonwealth to school districts on account of rentals payable to municipality authorities and non-profit corporations.

Mr. ROBERT K. HAMILTON from the Committee on Counties, reported as committed, House Bill No. 1432, entitled:

An Act to further amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for retirement allowances to contributors after twenty-five years of service but prior to reaching superannuation retirement age, whether such retirement be voluntary or involuntary and fixing allowances in such cases.

Mr. SCHMIDT from the Committee on Education, reported as committed, House Bill No. 1544, entitled:

An Act to further amend Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for minimum reimbursement to school districts of the first class A.

Mr. SPENCER from the Committee on Highways, reported as committed, House Bill No. 1586, entitled:

An Act to amend Section 1 of the act, aproved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 787), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by deleting Route 676.

Mr. ROVANSEK from the Committee on Mines and Mining, reported as committed, House Bill No. 1569, entitled:

An Act to amend the title and act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by appropriating funds derived from payments made in lieu of planting to the Department of Mines; and transfering powers and duties from the Secretary of Forests and Waters to the Secretary of Mines.

Mr. WHALLEY from the Committee on Mines and Mining, reported as committed, House Bill No. 1570, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by appropriating all funds derived from registration fees, forfeitures of bonds, cash securities and deposits and in lieu of planting to the Department of Mines, to be used by the Secretary of Mines as herein provided, and transferring powers and duties from the Secretary of Forests and Waters to the Secretary of Mines.

Mr. HALL from the Committee on Highways, reported as committed, House Bill No. 1645, entitled:

An act to facilitate vehicular traffic agross the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, thence in a general southerly direction to connect with the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable including a lateral extension eastward from such point as the Commission may decide is most feasible and practicable to the boundary line between the Commonwealth of Pennsylvania and the State of New York and a lateral extension westward from such point as the Commission may decide is most feasible and practicable to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the pay-

ment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

Mr. JUMP, from the Committee on Highways, reported as committed, Senate Bill No. 605, entitled:

An Act to amend the title, section two and subsection (c) of section four of the act, approved the twenty-seventh day of September, one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System, at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable, to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York, between the Susquehanna and Delaware Rivers, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission, including tolls, or from such funds as may be available to the Commission for that purpose, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing for the construction, operation and maintenance of central connection extensions.

Mr. WILT, from the Committee on Education, reported as amended, House Bill No. 1082, entitled:

An Act to provide revenue for school districts of the first class A by imposing a tax on real estate in such districts for general public school purposes, and providing for its levy and collection.

Mr. WILT, from the Committee on Education, reported as amended, House Bill No. 1083, entitled:

An Act to amend subsections (a) and (b) of Section 663 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the maximum amount of the authorized per capita tax levy in school districts of the first class A.

Mr. SPENCER from the Committee on Highways, reported as amended, House Bill No. 1588, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public uitility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elemination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and apropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

Mr. WILLIAMS from the Committee on Mines and Mining, reported as amended, Senate Bill No. 91, entitled:

An Act to further amend Section 5 of the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating backfilling and operation reports

BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on July 9, 1953, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 807, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising consolidating and changing the laws relating thereto," by clarifying the provisions for payments by the Commonwealth to school districts on account of rentals payable to municipality authorities and non-profit corporations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1432, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for retirement allowances to contributors after twenty-five years of service but prior to reaching superannuation retirement age,

whether such retirement be voluntary or involuntary and fixing allowances in such cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1544, entitled:

An Act to further amend Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for minimum reimbursement to school districts of the first class A

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1586, entitled:

An Act to amend Section 1 of the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 787), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by deleting Route 676.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1569, entitled:

An Act to amend the title and act approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfiling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by apropriating funds derived from payments made in lieu of planting to the Department of Mines; and transferring powers and duties from the Secretary to the Department of Forests and Waters to the Secretary of Mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1570, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by appropriating all funds derived from registration fees, forfeiture of bonds, cash securities and deposits and in lieu of planting to the Department of Mines, to be used by the Secretary of Mines as herein provided, and transferring powers and duties from the Secretary of Forests and Waters to the Secretary of Mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1645, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, thence in a general southerly direction to connect with the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable including a lateral extension eastward from such point as the Commission may decide is most feasible and practicable to the boundary line between the Commonwealth of Pennsylvania and the State of New York and a lateral extension westward from such point as the Commission may decide is most feasible and practicable to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of toll for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for the second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 605, entitled:

An Act to amend the title section two and subsection (c) of section four of the act approved the twenty-seventh day of September one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practible to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Com-

monwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds" by providing for the construction operation and maintenance of central connection extensions.

And said bill having been read at length the first time,
Ordered, To be laid aside for the second reading.

COMMITTEE MEETINGS

APPROPRIATIONS—Mr. Wood, Chairman, Room 245-246, Wednesday, July 15, at 12:00 noon DST.

CITIES—THIRD CLASS—Mr. Mikula, Chairman, Room 521, Wednesday, July 15, at 10:30 a. m. DST.

ELECTIONS and APPORTIONMENT—Mr. Weidner, Chairman, Room, 329, Wednesday, July 15. at 11:45 a. m. DST.

LAW and ORDER—Mr. Toomey, Chairman, Room 325, Wednesday, July 15, at 11:30 a. m. DST.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Wednesday, July 15, at 10:00 a. m. DST.

PROFESSIONAL LICENSURE—Mr. Flack, Chairman, Room 325, Wednesday, July 15, at 11:00 a. m. DST.

PUBLIC HEALTH and SANITATION—Mr. Frost, Chairman, Room 329, Wednesday, July 15, at 10:30 a. m. DST.

STATE GOVERNMENT—Mr. Watkins, Chairman, Room 324, Wednesday, July 15, at 11:00 a. m. DST.

WELFARE—Mr. Haudenshield, Chairman, Room 330, Wednesday, July 15, at 10:00 a. m. DST.

ADJOURNMENT

Mr. DAVIS. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 15, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 6:37 p. m. EST) the House adjourned.

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